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# Mexican Border Troubles: Social War, Settler Colonialism and the Production of Frontier Discourses, 1848-1880

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# Mexican Border Troubles: Social War, Settler Colonialism and the Production of Frontier Discourses, 1848-1880

**by**

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## Dedication

This work is dedicated to my grandmother, Josefina López Gonzales, who gave us the word; to my mother, Carmen Gonzales Callahan, who taught me how to fight for it; and to Rebecca Michelle Gámez, who showed me how to share it.

# PREFACE

Two overriding influences inform this study. The first is a set of stories that narrate the Gonzales family history, my mother's side of the family. The second is a number of jokes that my father regularly told at social gatherings. Both are brief examples of a Mexican American expressive culture "in relation to its socially dominated condition."[1] Taken together, they constitute a "social heuristic, a real construction of identity for navigating a chaotic social world." In this particular instance, these performances illustrate *Mexicano* families interpreting their past in the face of Anglo domination. Hopefully, these "texts" achieve what Ramón Saldívar claims for the "pedagogy of conjunto" and that is they "instruct us while they delight."[2]

Often at the urging of my mother, my grandmother would entertain us around her kitchen table with countless stories of past generations of Gonzales, on occasion referring to events as far back as the Spanish colonial period. Most of

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[1] José Limón, *Dancing with the Devil: Society and Cultural Poetics in Mexican-American South Texas* (Madison: The University of Wisconsin Press, 1994): 7.
[2] Ramón Saldívar, "Transnational Migrations and Border Identities: Immigration and Postmodern Culture," *South Atlantic Quarterly* 98: 1/2 (Winter/Spring 1999): 220; 230.

these accounts revolved around the family's ancestral home, a large adobe house that at one time served as the county seat for El Paso.[3] One of the most prominent sketches, if only because it was my favorite, narrated the defiance and leading role of Francisco "Chico" Barela during what came to be known as the San Elizario Salt War in 1877. In this clash between organized *Mexicanos* from San Elizario, Ysleta and Socorro and Anglos a company of Texas Rangers were defeated and captured as *Mexicanos* resisted Anglo attempts to enclose communal spaces. Barela, designated as "the leader" of the uprising by Anglo authorities and later by historians, no doubt preoccupied the Gonzales clan and its patriarch José María "Chema" Gonzales. The retribution directed at Barela was likely to impact the Gonzales since the two families were united through marriage.[4]

The rebellion affected great numbers of people. Many innocent families, for example, were forced to fend for themselves during the conflict. Immediately following the *Mexicano* victory, Anglos reorganized themselves and terrorized the communities of the lower valley, summarily executing and raping innocent *Mexicano* victims who had no role in the rebellion. in the wake of brutal Anglo reprisals. Brutal Anglo reprisals continued until Buffalo soldiers were able to intervene. The aftermath of the "war" posed a challenge as well. José María, for example, successfully negotiated Anglo legal efforts to punish close to one

[3] See, J. Morgan Broaddus, *The Legal Heritage of El Paso* (El Paso: Texas Western College Press, 1963): 124.
[4] Antonia Barela, the daughter of Francisco Barela, was married to Francisco Gonzales, the son of Jose Maria Gonzales and a prominent freighter.

hundred and fifty alleged perpetrators by excusing himself from his civic duty as a grand juror in order to keep peace in his own household.

The dramatic telling of the Salt War, however, was not the only tale of conflict shared by my family around my grandmother's kitchen table. There were also tales of "everyday" struggles, including adventures in freighting to Las Vegas, New Mexico, responding to raids by "marauding" Apaches, as well as less prominent struggles of meeting the demands and obligations of a diverse frontier community. The vital role of women in sustaining the Gonzales home, for example, while considerably less dramatic than the Salt War, were no less compelling especially given the myriad of vital tasks they performed. Ultimately, the range of stories reflected the complex, diverse, if at times, contradictory life of *rancheros* and the *Mexicano* community whose political and economic power slowly dissipated during the last half of the nineteenth century.[5]

In a less serious, but no less compelling contribution, my father occasionally could be found telling a favorite joke, which went as follows: An Anglo and *Mexicano*, both standing at opposite shores of the Rio Grande, simultaneously shoot at a passing duck overhead. Each wades to the middle of the

[5] *Rancheros* were small self-sufficient ranchers and farmers who depended on networks of extended family for labor. The *ranchero* also played a central role in maintaining the stability of the community in the number of artisanal tasks he performed as well as through his access to larger markets. For a brief discussion of the *ranchero*, see Jane-Dale Lloyd, "Rancheros and Rebellion: The Case of Northwestern Chihuahua, 1905-1909," in Daniel Nugent, ed., *Rural Revolt in Mexico: U.S. Intervention and the Domain of Subaltern Politics* (Durham: Duke University Press, 1998): 108-109. See also Armando C. Alonzo, *Tejano Legacy: Rancheros and Settlers in South Texas, 1734-1900* (Albuquerque: University of New Mexico Press, 1998).

river to retrieve the fallen bird. After a period of grappling over the prize, the *Mexicano* proposes a test of strength to determine who should possess the duck. The Anglo, at a loss for a solution, defers to his opponent, who suggests that the prize should be awarded to the one who is best able to endure a formidable test of strength. The Anglo acquiesces to his opponent's suggestion so they move to shore in order to properly settle the dispute. The *Mexicano* explains that they should take turns striking the other with all the force they each can muster until the more formidable of the two remains standing. The Anglo dismissively commands the *Mexicano*, whom he believes to be his social inferior, to make the initial strike. Hesitant at first, the *Mexicano* assents, and just as quickly strikes the Anglo with great precision and force. His blow lands on the Anglo's genitals, dropping him to the ground writhing in pain. After his tortured spasms have passed, the Anglo picks himself up and dusts himself off. Composed, he orders his adversary to stand ready to receive what he plans will be a devastating blow. At which moment, the *Mexicano* replies, "Take the duck…."[6]

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[6] The joke conforms to the genre of joke or anecdote that, according to Américo Paredes, expresses a veiled hostility "expressed in an escapist type of jest featuring dream situations in which the Mexican bests the Anglo-American." Paredes identified a taxonomy of jokes or jests that reflected Mexican attitudes towards Anglos "since the period of the first armed clashes in the 1830s down to the present." The open hostility of the first stage gives way to the veiled hostility of the second, culminating in the third stage of self satire. It should be noted that these stages are not "strictly confined to a definite historical period." See, Américo Paredes, "The Anglo American in Mexican Folklore," in Ray Browne, Donald Winkelman and Allen Hayman, eds., *New Voices in American Studies* (Purdue University Studies, 1966): 113-127. See also, José Limón, "Agringado Joking in Texas Mexican Society: Folklore and Differential Identity," in *New Directions in Chicano Scholarship*, Ricardo Romo and Raymund Paredes, eds., (San Diego: University of California at San Diego Press, 1978); José Limón, "*Carne, Carnales*, and the Carnivalesque: Bakhtinian *Batos*, Disorder, and Narrative Discourses," *American Ethnologist* 16:3 (August 1989).

The stories of my family's past and the jokes of Anglo-Mexican conflict inform the perceptions of resistance and domination that animate this study. In one way, this dissertation is part of an effort to document and analyze *Mexicano* resistance during the late nineteenth century. However, it also seeks to do more than re-narrate episodes of conflict and resistance. This study attempts to fulfill the tasks of subaltern studies suggested by José Rabasa. "For if subalternity partakes of hegemony and consensus," argues Rabasa, "it is no less urgent to examine how subaltern subjects are constituted through dominance and coercion. War, in this regard, would not be an exceptional state of affairs, but the course of the world."[7] Each cultural practice, the sharing of family history and the telling of jokes conveys a tension between domination and resistance, pointing to a rich and complicated history of struggle. The resistance narrated in the oral history of my family and the popular memory of struggle is much more subtle than what has usually been celebrated as *Mexicano* resistance undertaken "with his pistol in his hand."[8] While less dramatic than more overt acts of defiance, these examples of expressive culture do indicate the contradictions and conflicts that result from a position of social domination.

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[7] José Rabasa, "Of Zapatismo: Reflections on the Folkloric and the Impossible in a Subaltern Insurrection," in Lisa Lowe and David Lloyd, eds., *The Politics of Culture in the Shadow of Capital* (Durham: Duke University Press, 1997): 405.

[8] Here I am invoking Americo Paredes' seminal text *With His Pistol in His Hand: A Border Ballad and Its Hero* (Austin: University of Texas Press, 1988). I will argue that Paredes' work does in fact point us in the direction of a more subtle reading of Mexicano resistance.

On an immediate level, this cultural repertoire shares a common source in that both my mother and father were raised in West Texas and, as a consequence, their own symbolic investment in the narrative conveys their personal struggles as Mexican Americans from Ysleta. In a broader sense, resistance is manifest in the dogged efforts to retain the fragile memory of a family's triumphs and tragedies.[9]

### *Brief Statement On Terms*

In what follows I offer a brief statement about my use of terms identifying frontier settlers in the border region. In this essay, I will use borderlands and Southwest interchangeably to refer to the geographic region Oscar Martínez refers to as the "greater borderlands." Martínez defines the greater borderlands as "the U.S. and Mexican border states –Texas, New Mexico, Arizona, and California on the American side and Tamaulipas, Nuevo León, Coahuila, Chihuahua, Sonora, and Baja California on the Mexican side."[10] The important aspect to be noted here is the interdependence and ultimately the coherence of the region.

I have chosen to use the broader category of *Mexicanos* to signify persons of Mexican descent without regard to citizenship or place of residence. Where necessary, I indicate, if the documents describing key events allow, the citizenship

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[9] Even the place of telling, both the stories and the jokes, establishes a site where resistance is shared. The site and performance also suggests the specific enactment of a set of hidden transcripts. See, James C. Scott, *Domination and the Arts of Resistance, Hidden Transcripts* (New Haven: Yale University Press, 1990).

[10] Oscar Martínez, *Border People: Life and Society in the U.S.-Mexico Borderlands* (Tucson: University of Arizona Press, 1994), pp. 40-41. Cf. Américo Paredes concept of "Greater Mexico" which "refers to all the areas inhabited by people of Mexican culture –not only within the present limits of the Republic of Mexico but in the United States as well—in a cultural rather than a

of *Mexicanos* as either residents in Texas or from one of the northern Mexican states of Sonora, Chihuahua, Coahuila, Nuevo Leon and Tamaulipas. I avoid using the term *Tejano* to identify ethnic Mexicans who remained in Texas immediately following the war or who later crossed and claimed United States citizenship. Although *Mexicanos* who chose to reside in Texas would later claim, to varying degress, a distinct identity as *Tejanos*, the references that settlers, military officers, and local leaders made were more often to "Mexicans," and almost always disparagingly.[11]

On the other hand, I use the inclusive and generic term Anglos to label a variety of non-Mexican residents, especially referring to US leaders in general and Texas in particular. I recognize the limitation of this strategy, denying the significant diversity within the non-Mexican population. I use the term Anglo, however, for the simple reason that most settlers who migrated into Texas were able to claim important privileges based on their racial identity, and as a consequence they were able to accrue the rights and responsibilities of citizenship quiet easily.[12] Indeed, what made frontier defense such a crucial racial project throughout the late nineteenth century were the benefits made possible by

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political sense." Américo Paredes, *A Texas-Mexican Cancionero: Folksongs of the Lower Border* (Austin: University of Texas Press, 1976): xiv.

[11] For an important study on *Tejano* identity, see Raul A. Ramos, "From *Norteño* to *Tejano*: The Roots of a Borderlands Ethnicity, Nationalism, and Political Identity in Bexar, 1811-1861" (Ph D. diss., Yale University, 1999).

[12] David R. Roediger has argued persuasively that the white working class enjoys a psychological wage in addition to whatever struggles they may have with elites over wages. "The problem," Roediger explains, "is not just that the white working class is at critical junctures manipulated into

identifying with an emergent national project. At the same time, the "imagined community" produced by the material, symbolic and structural violence of frontier defense limited *Mexicanos'* inclusion in the "deep, horizontal comradeship."[13] Thus, the establishment of racial and ethnic boundaries and privileges indicated the success of a US settler colonial project in south and west Texas.

racism, but that it comes to think of itself and interests as white." David R. Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (New York: Verso, 1991): 12.
[13] Benedict Anderson, *Imagined Communities* (London: Verso, 1983): 7.

Mexican Border Troubles: Social War, Settler Colonialism and the Production of Frontier Discourses, 1848-1880

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This study analyzes the social war of the US-Mexico borderlands during the second half of the nineteenth century. The more prominent conflicts, or "brushfire wars" –the Merchants War, Cortina War, Las Cuevas War, and the San Elizario Salt War—are fully elaborated to show a more complex resistance by the Mexican community. *Mexicanos'* short-lived and often narrow victories in opposition to Anglo processes of domination not only reveal the ambiguity of settler colonialism but the ambivalences of ethnic Mexicans and Indigenous peoples who played an integral part in frontier expansion and defense. The research allows for a thick description of the large-scale violence as well as the "everyday forms" of conflict, combined with social and structural violence, which constitute the ongoing social war of the greater borderlands. Data derived from

state-sponsored investigations, military records, testimonies from a variety legal processes, and the urgent pleas for government protection documents the social war as constituting and constituted by violent episodes that were as much discursive events as irregular warfare. The study challenges manichean constructions of domination and resistance by complicating the rigid boundaries that have been constructed as a "three cornered conflict" between Anglos, Indigenous peoples and *Mexicanos*. Frontier defense as a discourse formation, revealing both the symbolic and material operations of violence, not only erased the contributions of *Mexicanos* and Indigenous peoples to frontier settlement but also invites a reinterpretation of capitalist transformation and state formation as ongoing processes linked to the enduring consequences of violence. The dissertation concludes that the social war in the US-Mexico borderlands unfolded not only as a struggle between alienation and accommodation to market, state and cultural forces, but also as a complex and shifting struggle for dignity.

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# INTRODUCTION: SOCIAL WAR IN THE GREATER BORDERLANDS

> And this, not out of a speculative choice or theoretical preference, but because in fact it is one of the essential traits of Western societies that the force relationships which for a long time had found expression in war, in every form of warfare, gradually became invested in the order of political power.[1]
>
> Michel Foucault

## *Una herida abierta*[2]

When representatives of Mexico and the United States signed the Treaty of Guadalupe Hidalgo on February 2, 1848, they did not put to rest hostilities between the peoples of the two nations.[3] Anglo resentments for the battles of the Alamo and Goliad (March 1836) and the disaster that befell the remnants of the Somervell expedition at Mier (December 1842), continued long after the US-Mexican War. Conflict consistently spilled over the recently established border, with much of the hostility originating within Texas. Both Mexican and US officials contended with cross border violence. Although much of the violence

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[1] Michel Foucault, *History of Sexuality*, vol. 1, (New York: Vintage Books, 1990): 102.

[2] Despite recent economic and political interdependence the region remains, as Gloria Anzaldúa has famously remarked, "an open wound." "The US-Mexico border," Anzaldúa argues "*es una herida abierta* where the Third World grates against the first [sic] and bleeds. And before a scar forms it hemorrhages again, the lifeblood of two worlds merging to form a third country -a border culture." Gloria Anzaldua, *Borderlands/La Frontera: The New Meztiza* (San Francisco: aunt lute books, 1987): 3. The cycle of violence and the racism that sustains it persists with an intensity recently demonstrated in anti-immigrant legislation and increased militarization along the US-Mexico Border. *Mexicanos* have endured so much repression that Guillermo Gomez Peña argues a "Second US-Mexico War" is currently underway. Guillermo Gómez-Peña, *Dangerous Border Crossers, The Artist Talks Back* (London: Routledge, 2000): 52.

[3] The United States and Mexico signed the treaty on February 2, 1848 and exchanged ratifications on May 30, 1848. For a discussion of the treaty, see Richard Griswold del Castillo, *The Treaty of Guadalupe Hidalgo: A legacy of Conflict*, (Norman: University of Oklahoma Press, 1990): 43-54.

was perpetrated by lawless elements, there was a great deal of military and paramilitary activity, much of it responding to subaltern resistance throughout the region. The persistent cross border hostility made the region surrounding the newly established border a sight of intense political conflict.

Anglo violence against *Mexicanos* continued well after the conclusion of the US-Mexico War. Anglos systematically violated the provisions and obligations of the Treaty of Guadalupe Hidalgo, politically and economically displacing *Mexicanos* through a combination of legal chicanery and physical violence.[4] The violence immediately following the war produced a system of racial and class inequality that some argue persists to the present day.[5] US territorial aggrandizement from 1836 to 1848 inspired a profound bitterness in *Mexicanos*. Losing over half of Mexico's territory to the US, *Mexicanos* remained deeply suspicious of imminent appropriations long after the war. As a result, hostility between *Mexicanos* and Anglos persisted for most of the second half of the nineteenth century.

Border conflict was not limited to *Mexicanos* and Anglos but claimed an array of agents, including people indigenous to the region as well as Buffalo

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[4] Works that examine the despoiling of Chicano communities include Leonard Pitt, *The Decline of the Californios: A Social History of the Spanish-Speaking Californians, 1846-1890* (Berkeley: University of California Press, 1966); Albert Camarillo, *Chicanos in a Changing Society: From Mexican Pueblos to American Barrios in Santa Barbara and Southern California, 1848-1930* (Cambridge: Harvard University Press, 1979).

[5] See Mario Barerra, *Race and Class in the Southwest: A Theory of Racial Inequality* (Notre Dame: University of Notre Dame Press, 1979); Rodolfo Acuña, *Occupied America: A History of Chicanos* (New York: Longman, 2000).

Soldiers. Although embattled with one another, *Mexicanos* and Anglos also confronted several First Nations peoples, especially Comanche, Apaches, Kiowa, and Kickapoos, to name just a few. Both *Mexicano* and Anglo settler colonial projects attempted to pacify earlier inhabitants, executing a series of campaigns that occasionally achieved intense levels of mobilization equal to war, as, for example, during the Comanche War (1854) and the Red River War (1874-1875). Anglos resumed the business of occupying and expanding beyond already settled regions with greater intensity after the US Civil War.[6]

In this chapter I examine approaches to violence in the Greater Borderlands. Treatments of violence on the nation's frontier have been ambivalent. This lack of specificity has made distinguishing the many histories of violence in the US-Mexico Borderlands difficult. In order to set the foundation for more closely interrogating violence in the US-Mexico Borderlands, I review early approaches to conflict in the region. I also reconsider the category of war, especially its ideological function, in order to better illustrate the racial bias regarding Anglo-Mexican and Anglo-Indian conflict. The final section of the chapter briefly outlines the chapters that follow.

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[6] While Indian Wars as a whole have received considerable attention, specific wars subsumed in this catchall category are less well known. See also William Dean Carrigan, "Between South and West: Race, Violence, and Power in Central Texas, 1836-1916" (Ph. D. diss., Emory University, 1999).

A great deal of scholarly attention has been focused on the major conflicts or "formal" wars of the region. Conflicts such as the US-Mexican War, or the American War of Intervention as it is known in Mexico, the US Civil War and the "Indian Wars" bracketed the struggle between races and nations.[7] Mexico also endured a series of conflicts in the persistent uprisings and catastrophic civil wars that severely undermined its national project. Largely overlooked by Anglo scholars, Mexico suffered civil strife during the War of the Reform (1855-1858), the Civil War (1858-1861), the French Intervention (1861-1867) and the Restored Republic (1867-1876). As more formal conflicts, these were noted for major field battles with set field pieces. Orchestrated episodes of prolonged violence to satisfy national interests, they were begun and terminated through a series of protocols, depending on the "cooperation" of the opponents.[8] Ultimately, all these conflicts profoundly influenced the development of the region.

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[7] The popular and scholarly work on the US Civil War has by far overshadowed interest in the US-Mexican War. For recent literature on the US-Mexican War, see Richard V. Francaviglia and Douglas W. Richmond, eds., *Dueling Eagles: Reinterpreting the U.S.-Mexican War, 1846-1848* (Fort Worth: Texas Christian University Press, 2000).

[8] Inga Clendenen, for example, argues that "wars" require some degree of cultural exchange and cooperation. "But if combat is not quite as cultural as cricket," Clendenen explains, "its brutalities are nonetheless rule bound. Like cricket, it requires sustained act of cooperation, with each side constructing the conditions in which both will operate, and so, where the struggle is between strangers, obliging mutual 'transmission of culture' of the shotgun variety. And because of its high intensities it promises to expose how one's own and other ways of acting and meaning are understood and responded to in crisis conditions, and what lessons about the other and about oneself can be learned in that intimate, involuntary, and most consequential communication." The category of war, when limited to specific policy initiatives executed by a nation-state for example, obscures the intensity and duration of conflict generally, but more importantly, it veils the relations of power operating in specific contexts. Inga Clendinnen, "'Fierce amd Unnatural Cruelty': Cortés and the Conquest of Mexico," Stephen Greenblatt, ed., *New World Encounters*

*Mexicanos* and Anglos also clashed in a series of often overlooked less formal, but no less significant, irregular or "brushfire wars." While the region experienced larger more formal wars of conquest, it also knew "brushfire wars" such as the Merchants War, Cortina War, Las Cuevas War and the San Elizario Salt War. When they have been discussed they are often viewed as uncomplicated, sporadic and unorganized resistance, a by-product of inevitable processes of political consolidation and capitalist incorporation. Probing episodes that precipitated the crossing of US troops across the international boundary, Clarence Clendenen argues that "brushfire wars" erupted on the border long before better-known interventions, such as the noted hunt for Mexican General Francisco Villa in 1916.[9] The Columbus raid, and the dramatic chase that followed, have overwhelmingly commanded the attention of both popular and scholarly audiences, often obscuring earlier equally important small-scale conflicts that precipitated cross border crossings. Often no more than small battles or skirmishes, in most cases they did not warrant the status that comes with the label of "war" nor the formality and glory attendant to it. However, their intensity

(Berkeley: University of California Press, 1993): 24. I am grateful to Daniel Castro for reminding me about this essay.

[9] Clarence Clendenen, *Blood on the Border: The United States Army and the Mexican Irregulars* (London: The Macmillan Company, 1969). Clendenen is responsible for the term "brushfire wars." See also, J. Fred Rippy, "Some Precedents of the Pershing Expedition into Mexico," *Southwestern Historical Quarterly* 24:4 (April 1921): 292-316.

and frequency contributed significantly to the racial tension of the region, making them a litmus of the degree of racial turmoil.

In addition to the disruptions of warfare, Mexico defended against a number of filibusters that originated from US soil. These invasions often had the clandestine support of leading US officials and other organized merchant interests, insuring that many of these incursions were well organized and well funded. The participants who rode into Mexico could hail from either the US or Mexico, and in some cases from other parts of the world as well. The most notable filibuster that falls within the regional scope and time period of this study was led by José María Carvajal, later referred to as the Merchants War. Proclaiming El Plan de la Loba, Carvajal challenged the authority of the Mexican government between 1851 and 1855. The participation of a substantial number of Anglo mercenaries, many of them ex-rangers under the leadership of John Ford, put into doubt the legitimacy of Carvajal's political ambitions. The political dueling between Carvajal and General Avalos, over suspension or reduction of trade duties, further undermined the political legitimacy of Carvajal's and Ford's shared goal of establishing the Republic of the Sierra Madre, an independent political entity that many believed would minimize cross border violence and facilitate the integration of Northern Mexico into the US economic orbit.[10]

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[10] Joseph Stout, *Schemers and Dreamers: Filibustering in Mexico, 1848-1921* (Fort Worth: Texas Christian University Press, 2002): 18. See also, Ernest Shearer, "The Carvajal Disturbances,"

Alongside "wars" and filibusters, the region experienced persistent depredations, ranging from simple thefts to more elaborate efforts that victimized whole communities, both Anglo and *Mexicano*. Depredations, or organized attacks on settled communities for the purposes of revenge and plunder, have semantically been associated with Indigenous peoples. In some instances, locals believed *Mexicanos* to be responsible for or part of depredations, confirming for many that *Mexicanos* were equally debased as Indigenous peoples. The association between Indigenous peoples and *Mexicanos* has even prompted some scholars to uncritically represent the entire region as dominated by a culture of smuggling and theft.[11] In many instances, the motivation for depredations organized by Indigenous groups was the destitute condition they endured due to the unfulfilled treaty obligations that left many of those groups that treated with the US destitute.[12]

The violence of this period also resulted from a number of insurgencies, organized acts of resistance against Anglo political, social and economic domination. In labeling resistance as an insurgency I am following the lead of Ranajit Guha. My purpose is to contrast the leadership, organization, and

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*Southwestern Historical Quarterly* 55: 2 (October 1951): 201-230; Harbert Davenport, "General Jose Maria Jesus Carabajal," *Southwestern Historical Quarterly* 55: 4 (April 1952): 475-483.

[11] For a recent example of such a conflation, see James F. Brooks, "Served Well by Plunder: *La Gran Ladronería* and Producers of History Astride the Río Grande" *American Quarterly* 5:1 (March 2000): 23-58.

[12] Unfortunately, the failures of the reservation system and the full-scale effort of the US government to police Indigenous peoples are beyond the scope of this study.

objectives of those defying Anglo rule to the strategies of representations by hegemonic forces that defined and demeaned the events as an émeute, jacquerie, riot, revolt, uprising, or mob action. Challenging the limited notion of spontaneity, Guha stresses that insurgencies possessed "conscious leadership," implying two antagonistic consciousnesses that "met for a decisive trial of strength." However, these rebellions, like the other species of violence mentioned above, exhibited racial and class porousness. Despite the fact that *Mexicanos* were on both sides of the conflict, these insurgencies were orchestrated and deliberate acts of resistance executed in opposition to the abuses and arrogance associated with Anglos.[13] In other words, these struggles were expressed in opposition to larger processes of social and material enclosure and articulated through race.

Insurgencies also included the number of revolts or "revolutions" throughout northern Mexico against local and national leadership. Often organized on the US side of the border, this type of insurgency occurred well into the early twentieth century. These revolts were in some cases successful, as in the case of Porfirio Diaz who caused US officials, including diplomats, military officers, and local law enforcement, a great deal of consternation. The US regularly decried the violation of neutrality laws by expeditions departing from the US side of the border. On one hand, the US was bound by treaty to remain

[13] Ranajit Guha, *Elementary Aspects of Peasant Insurgency in Colonial India* (Durham: Duke University Press, 1999): 4.

neutral in the political affairs of Mexico. On the other hand it resented the turmoil that revolts organized in US border cities caused in the region. However, on occasion the US did favor one faction over another, despite their claims to neutrality. Needless to say, the violence produced along the frontier benefited the US border region economically through the sale of arms and material.

In conjunction with all species of violence along the border, i.e. "wars," filibusters, "depredations," and insurgencies, was the production of a representational machine that made it possible for Anglos to name and narrate conflict. The frequency and intensity of border clashes during the second half of the nineteenth century prompted a series of investigations and inquiries conducted by both the US and Mexican governments at both the state and federal level. These investigations ultimately consolidated the documentation such as newspaper accounts, line officer's reports, local officials' pleas and testimonies of leading citizens regarding violent events, making available a "prose of counter insurgency."[14] A form of "colonialist knowledge," the "prose of counter insurgency" enabled Anglos to discursively appropriate frontier defense, criminalizing and infantalizing Indigenous peoples and *Mexicanos* along the way. As a result, Anglos successfully erased the investments Indigenous peoples and

[14] Guha has distinguished this historiographical production by identifying the categories of representation: primary, secondary and tertiary discourses. Ranajit Guha, "The Prose of Counter-Insurgency," in Nicholas Dirks, Geoff Eley, and Sherry Ortner, eds., *Culture/Power/History: A Reader in Contemporary Social Theory* (Princeton: Princeton University Press, 1994):

*Mexicanos* had in the region as well as masked the contributions they made to the Anglo settler colonial project from popular consciousness. Thus, in every way the investigative apparatus developed by the US supported the ideological work required of settler colonialism, producing specific statements regarding territorial expansion and control, and making frontier defense a critical racial project.[15]

Officials subsumed the violence of this period under the heading of "Mexican Border Troubles." In their more sober moments, officials concurred that there was not one "trouble," but many. The animosity between the races, the differences between distinct cultures, the disputes of one nation against the other, the ambitions of the elite over those with access to fewer resources, the violations of those outside the law, and the petty personal feuds of local residents, all combined to form an "economy of violence" that defined the "everyday" lives of inhabitants.[16] Part of the motivation for the number of fact-finding missions was the consistent stream of complaints from frontier denizens who expected federal assistance in thwarting the violence perpetrated by Indian "savages" and Mexican "bandits." Indeed, it was the belief of many inhabitants, including people of some prominence, that life was cheap and residents were likely to be affected by

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[15] I am using statement here to suggest a discursive event, q.v. Michel Foucault, *Aesthetics, Method, and Epistemology*, vol. 2 of *The Essential Works of Foucault 1954-1984,* James D. Faubion, ed. (New York: The New Press, 1998): 308.

[16] Malcolm Greenshields defines an "economy of violence" as an "endless round of provocations and retaliations, of affronts and private, violent justice, this 'economy' could be a matter of individual quarrels or of massive, collective uprisings." Malcolm Greenshields, *An Economy of Violence in Early Modern France: Crime and Justice in the Haute Avergne, 1587-1664* (University Park: The Pennsylvania State Press, 1994): 12.

violence in some way. However, closer examination of the material violence of this period reveals that perpetrators and defenders were rarely entirely from one group or another.

The material violence more commonly associated with the region enabled Anglos to appropriate land, dominate the political process, and discipline a foreign neighbor. However, it was the strategies and processes of representing violence, or symbolic violence, facilitated chiefly by a series of investigations that allowed Anglos to claim the heroic exploits of frontier settlement and defense as their exclusive legacy. The US settler colonial project relied on a representational machine that essentially "wrote violence," making available an aesthetic, ethics and ultimately epistemology of frontier violence.[17] The process of writing violence in Greater Mexico relied on what Foucault theorized as an "archive," a discursive formation that justified Anglo investments in frontier defense as actors and narrators.[18] A nation's attitude to its legacy of violence reveals a great deal about its racial past given that some moments of violence have been ignored while others are celebrated.

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[17] José Rabasa, "Of Zapatismo: Reflections on the Folkloric and the Impossible in a Subaltern Insurrection," in Lisa Lowe and David Lloyd, eds., *The Politics of Culture in the Shadow of Capital* (Durham: Duke University Press, 1997): 423. I address this theme throughout the dissertation. I discuss it in more detail in Chapter Seven.

[18] "I shall call an *archive*, not the totality of texts that have been preserved by a civilization or the set of traces that could be salvaged from its downfall, but the series of rules which determine in a culture the appearance and disappearance of statements, their retention and their destruction, their paradoxical existence as *events* and *things*. Foucault, *Aesthetics, Method, and Epistemology*, p. 309.

In unpacking the border conflict during this period, I argue the social war reflected not one history of violence, i.e. Anglo manifest destiny, but rather multiple histories including those in which *Mexicanos* and Indigenous peoples are protagonists and not simply cast as perpetrators or victims. *Mexicanos* and Indigenous peoples not only engaged in frontier defense, but that they also possessed their own visions and investments in settlement and security. I suggest that rather than limit social war to either a telos of accommodation or resistance, attention to a multifaceted and multiple histories of conflict underscore the *Mexicano* struggle for dignity in Greater Mexico.

Previous approaches investigating conflict in the greater borderlands have overlooked critical discursive dimensions to social war. The very definition of conflict, including official and popular statements and representations, was an enduring aspect of social war. One means of claiming victory in the social war that dominates the US-Mexico Borderlands is the capacity to define conflict, including designating the magnitude, scope, and frequency of "war," filibusters, "depredations," and insurgencies. In unraveling the ideological entanglements regarding the "common sense" views about the variety of violence in South and West Texas, for example, this study provides a closer examination of the

discursive formations that permitted elites to narrate violence as legitimate or illegitimate.[19]

### *The problem of violence on the frontier*

The US-Mexico Borderlands has generated a keen interest in Indian warriors, "bandits," rangers, US cavalry, gunfighters and vigilantes at both the popular and scholarly levels. Represented as a particularly violent place, images of the region reinforced representations of *Mexicanos* and Indigenous people, as frontier groups peculiarly disposed to violence as "bandits" and "savages."[20] Violence defined Greater Mexico during the time from the US-Mexican War to the Porfiriato. Although recognized by scholars as especially and overtly violent period, studies of the region remain undeveloped, relying on casual explanations of violence between three prominent groups: Indigenous peoples, *Mexicanos*, and Anglos. Scholars have been content to accept episodes of violence as though they

[19] My use of "common sense" is borrowed from Antonio Gramsci. "Every social stratum has its own 'common sense' and its own 'good sense,' which are basically the most widespread conception of life and man. Every philosophical current leaves behind a sedimentation of 'common sense': this is not something rigid and immobile, but is continually transforming itself, enriching itself with scientific ideas and with philosophical opinions which have entered ordinary life. 'Common sense' is the folklore of philosophy, and is always half-way between folklore properly speaking and the philosophy, science, and economics of the specialists. Common sense creates the folklore of the future, that is as a relatively rigid phase of popular knowledge at a given place and time." Antonio Gramsci, *Selections From the Prison Notebooks of Antonio Gramsci,* eds., Quintin Hoare and Geoffrey W. Smith (New York: International Publishers, 1989): 197; 323-343.

[20] The image of *Mexicanos* as peculiarly violent persists in mainstream media with *Mexicanos* overly represented, for example, as "gang bangers" and "drug lords."

were the result of natural forces.[21] The danger posed by "bandits" and "savages" has been understood as an unavoidable consequence of expansion, relegating "depredations" and "brushfire wars" to natural phenomenon peculiar to the region, catastrophic events to be endured like bad weather. The violence of the Texas frontier during the second half of the nineteenth century has been treated like violence in other frontier regions as an "opaque historical artifact," often resisting further historical inquiry and obscuring complexity.[22]

Those who celebrated the region's violent past as well as those who contested such a legacy have relied on a single explanation of conflict and accepted frontier expansion as a naturally violent enterprise. However, a single explanation for the region's violence prohibits distinguishing between various types of violence. Such a lack of specificity regarding the complexity of violence reinforces the ideological entanglements that privileged Anglos and demeaned *Mexicanos* and Indigenous peoples. In order to make the violence of this period and region less opaque it is necessary to acknowledge the material, symbolic and structural dimensions of conflict.

Material violence during this period included "wars," filibusters, "depredations," and insurgencies. Symbolic violence operated through the

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[21] Here, I am following the lead of Ranajit Guha who argues that peasant resistance is often represented as a natural phenomenon. See Guha, "The Prose of Counter-Insurgency," p.337.

[22] Fernando Coronil and Julie Skurski, "Dismembering and Remembering the Nation: The Semantics of Political Violence in Venezuela," *Comparative Studies of Society and History* 33:2 (April 1991): 333.

concomitant processes of naming and narrating the unfolding of material violence by elites. The social and material disadvantages suffered by Mexicanos as a result of Anglo political and economic dominance defines the structural violence much of which takes place well after the second half of the nineteenth century. Especially relevant to this study has been work that investigates how people experience violence, including how witnesses and survivors interpret it. Examining the social relations between perpetrators and victims during and after violent events provides valuable insights on the role and impact of violence on communities as they construct systems of meaning following conflict. Recent studies in anthropology have called for a more rigorous analytical framework that not only distinguishes between specific kinds of violence, but also highlights "that violence enacted is but a small part of violence lived." It is as much through violence and terror that historically contingent and contested identities emerge.[23]

Americans have been remarkably ambivalent regarding the violence in our nation's past. Although we reject violence "as a part of the American value system," according to Richard Brown, it has been such an integral part of our

[23] Recent scholarship in anthropology invites us to regard violence more critically by interrogating at the outset what is generally accepted as violence. By taking seriously what is defined, acknowledged, and interpreted as violence we broaden the scope of research, making violence a much more precise investigative tool for social encounters. See Carolyn Nordstrom and Antonius Robben, *Fieldwork Under Fire: Contemporary Studies of Violence and Survival* (Berkeley: University of California Press, 1995); Veena Das, ed., *Mirrors of Violence: Communities, Riots and Survivors in South Asia* (Delhi: Oxford University Press, 1992); Allen Feldman, *Formations of Violence: The Narrative of the Body and Political Terror in Northern Ireland* (Chicago: The University of Chicago Press, 1991); Kay Warren, ed., *The Violence Within: Cultural and Political Opposition in Divided Nations* (San Francisco: Westview Press, 1993).

shared history that it forms "part of our unacknowledged (or underground) value structure." Violence sutures key events, creating "a seamless web with some of the most positive events of U.S. history."[24] Americans have been consistent in viewing violence in a national framework that, according to Howard Zinn, exhibits "two failures of vision." Most Americans imagine themselves as a "peculiarly nonviolent nation, with a special dispensation for achieving social change through peaceful parliamentary reform." America's self image as a peaceful nation downplays the physical violence directed at "nationalities and races other than our own." Ultimately, Americans have been unable "to recognize the place of violence –both overt and hidden—in American social progress." Guilty of a "double standard," American views of violence conceal a gradually achieved consensus through stages of development "which either destroyed, expelled, or incorporated a dissident group."[25] As an alternative Zinn proposes "a single-standard ethic of violence." His revised schematic exposes the physical

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[24] Richard M. Brown, *Strain of Violence: Historical Studies of American Violence and Vigilantism* (New York: Oxford University Press, 1975): 36. These events include: "independence (revolutionary violence), the freeing of the slaves and the preservation of the Union (Civil War violence), the occupation of the land (Indian wars), the stabilization of frontier society (vigilante violence), the elevation of the farmer and the laborer (agrarian and labor violence), and the preservation of law and order (police violence)."

[25] Howard Zinn, "Violence and Social Change in American History," in Thomas Rose, ed., *Violence in America, A Historical and Contemporary Reader* (New York: Random House, 1969): 70; 77; 78. Another student of American violence who also recognizes its "repressive" character concurs, "the great bulk of it was used by dominant groups defending their positions of privilege." Michael Wallace, "The Uses of Violence in American History," in Roger Lane and John Turner, eds., *Riot, Rout, and Tumult: Readings in American Social and Political Violence* (Westport: Greenwood Press, 1978): 22.

clashes that have accompanied major moments of social change in our national past, revealing the suffering of groups marginal to the "national-racial group."[26]

Yet, "Western violence," according to Brown, "nearly defies interpretation as one struggles to make sense of the almost countless episodes and events that have made the West such a turbulent region."[27] Less typical have been authors who present the frontier as relatively free from violence, suggesting, for example, that Eastern urban centers experienced as much or a greater degree of violence. Frontier conditions, in this argument, led to a comparatively crime free environment, noted for its swift and deliberate execution of justice.[28] Scholars critical of approaches to violence in the west, such as Richard White, recognize that both scholarly and popular conceptions of violence in regions such as the west have tended to emphasize "individual violence," resulting in "a West of

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[26] Zinn's ethic of violence, in brief, includes: "1) All forms of pain and abuse –whether overt, concentrated, and physical, or psychological, hidden, and attenuated—should be placed on the same scale of destructive actions…. 2) It follows from this that we pay a price for superficial social peace which represses and hides subsurface violence…. 3) Official violence should be granted no special privileges over private violence…. 4) Violence done by others should be weighed equally with violence done by ourselves;… 5) We should assume that all victims are created equal, that violence done to men of other races or other political beliefs is not thereby given special dispensation… 6) Violence to property should not be equated with violence to people…. 7) We should be constantly aware of our disposition to accept violence on the basis of symbolic arguments… 8) Finally, we should be aware of Jeremy Bentham's criterion, in his utilitarian scheme, of fecundity: that not only should we measure immediate results of actions, but that we should also consider proliferating effects –of excessive action in the dispensation of overt violence, and of inaction in the toleration of subsurface violence." Zinn, "Violence and Social Change in American History," pp. 78-80.

[27] Richard Brown, "Western Violence: Structure, Values, Myth" *Western Historical Quarterly* 24 (February 1993): 5. Also see, Richard White, "*Its Your Misfortune and None of My Own"*: *A New History of the American West* (Norman: University of Oklahoma Press, 1991).

[28] For a useful overview of the literature on violence in the West, see Roger McGrath, *Gunfighters, Highwaymen & Vigilantes: Violence on the Frontier* (Berkeley: University of California Press, 1984), especially chapter thirteen, "The Heritage of the Trans-Sierra Frontier."

rugged and armed individualists -gunfighters, outlaws and sheriffs." Americans, according to White, focus on "personal violence" because "it allows them to escape asking uncomfortable questions about social conflict." Social conflict, White admits, "is a mixed story."[29]

Scholars interrogating America's heritage of westward expansion exhibit a marked ambivalence regarding violence, framing violence as episodic and epiphenomenal in one instance and unable to account for it as endemic in another and as a consequence as a structural force.[30] Depending on what side of the debate one falls on, the west can confirm one's claims about a nation steeped in violence or a nation that has transcended its more barbaric roots. Nowhere has a casual attitude regarding violence been more pronounced than in its relation to the nation's western frontier. The dominant view of western violence represents conflict as a consequence of frontier conditions which included the lack of legal authority, disregard of judicial procedure, and the danger posed by outlaws,

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[29] White, "*Its Your Misfortune and None of My Own,*" pp. 328-329; 343.

[30] E. P. Thompson warns against the "spasmodic view of popular history." Thompson's intervention draws attention to approaches in which "the common people can scarcely be taken as historical agents before the French Revolution." E. P. Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century," in *Customs in Common: Studies in Traditional Popular Culture* (New York: The New Press, 1993): 185. Approaches can also fall into the trap of what Gerald Sider labels the "hydraulic model of popular involvement in social change -press people down in one domain of their lives and they will pop up in another with even more force- but this perspective is primarily invoked to explain episodic upheavals, where the drama of events conceals the lifelessness of the model." The model denies people from participating in "the routine, but far more powerful and pervasive, transformation of their social world." Gerald M. Sider, *Culture and Class in Anthropology and History, A Newfoundland Illustration* (Cambridge: Cambridge University Press, 1989): 4.

"marauding Indians" and "treacherous Mexicans."[31] Interpretations of violence that celebrate the frontier experience confirm Silvio Duncan Baretta's and John Markoff's assertion, that "the tradition of violence in New World frontiers is usually simply taken for granted."[32]

Early political histories of the region identified raids, skirmishes and filibusters as the by-products of predictable international tensions. The failure to physically control the international boundary incited a number of diplomatic disputes that focused on the settlement of the U.S.-Mexican boundary; the crossing of armed forces by both Mexico and the US; extradition of criminals; the development of a potential route between the Isthmus of Tehuantepec and the elimination of the Zona Libre; and protection of the property of foreign residents. Notably, US officials often linked the integrity of the newly formed border with US opposition to trade barriers and the unfair competition they claimed resulted from the Zona Libre.[33]

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[31] C. C. Rister, "Outlaws and Vigilantes of the Southern Plains, 1865-1885" *The Mississippi Valley Historical Review* 19 (March 1933): 537-554; W. C. Holden, "Law and Lawlessness on the Texas Frontier, 1875-1890" *Southwesternn Historical Quarterly* 44 (October 1940): 188-203; Joe B. Frantz, "The Frontier Tradition: An Invitation to Violence" in *Violence in America: Historical and Comparative Perspectives* (New York: Bantam Books, 1969).

[32] Silvio R. Duncan Baretta and John Markoff, "Civilization and Barbarism: Cattle Frontiers in Latin America," *Comparative Studies in Society and History* 20 (October 1978): 587.

[33] The Zona Libre was first established in Tamaulipas in 1858. Sanctioned at the federal level in 1861, the free trade zone was expanded to include the entire border region as late as 1885. Throughout the late nineteenth century the abolishment of the Zona Libre remained a pressing US concern. See Samuel E. Bell and James M. Smallwood, *The Zona Libre, 1858-1905: A Problem in American Diplomacy* (El Paso: Texas Western Press, 1982).

Although Anglos consistently worried in nervous anticipation of an invasion and subsequent war with Mexico, the possibilities of Mexican aggression towards the US were indeed slim. On the other hand, many prominent spokesmen could barely hide their war mongering. US officials and local luminaries consistently railed against Mexico's inability to police its northern boundary. Diplomatic disputes exposed the cultural apparatus that demeaned and dehumanized Mexico as a people and a nation. Each international dispute exposed Anglos disparaging view of Mexico, believing the Mexican people incapable of fulfilling the promise of republican government. There was no clearer expression of this than the political opportunism of the US representing Mexico as possessing a proclivity for revolutions and a unique enthusiasm for *pronuncimientos*. Despite their dependence on *Mexicanos* in frontier communities, Anglo settlers interpreted Mexican political instability as confirmation of *Mexicanos* as lazy, shiftless, and vulnerable to the wicked designs of strong leaders.

Mexican officials continually argued that US officials tacitly, or in some cases overtly, supported filibusters, and depredations hoping to benefit from the turmoil as a pretext to incorporate portions of the Mexican north into the United States. [34] Indemnity for damages from smuggling and depredations originating in each country fueled diplomatic haggling and motivated a number of commissions.

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[34] Two notable efforts that sought to incorporate Mexico's northern frontier were the Republic of the Rio Grande and the Republic of the Sierra Madre. Diplomatic disputes eventually gave way to

Those authors who concern themselves with the political consolidation of the border region, suggest that the political and economic consolidation of the region was only possible by the successful arrival of the military, the opening of markets, and the political success of Porfirio Diaz. Robert Gregg, for example, makes special note of the issue of race in his examination of cattle raids, smuggling, raiding, filibustering and "Indian forays." Mexican and Anglo relations, according to Gregg, were tarred with the brush of "border lawlessness in which white and red adventurers played their parts." However, Gregg's interest in "a growing spirit of cooperation," betrays a cultural bias that assumes the dynamic expansion of US capitalism and the necessity of Mexico to become fully available to US political and economic interests. Gregg narrates the demise of border violence as "bound up with rapid settlement, with railroad building, with the increased stability of Díaz in Mexico, and with a growing spirit of cooperation between the two countries." Border troubles end, in Gregg's account, when Anglo American progress, symbolized by the railroad and Mexico's political subservience, are fully in place.[35]

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the cooperation established between Porfirio Diaz once the US recognized his presidency, a gesture that helped produce the *Porfiriato*.

[35] Robert D. Gregg, *The Influence of Border Troubles on Relations Between the United States and Mexico, 1876-1910* (Baltimore: Johns Hopkins Press, 1937): 11, 184. For a study that takes a similar approach see, Friedrich Katz, *The Secret War in Mexico: Europe, the United States, and the Mexican Revolution* (Chicago: University of Chicago Press, 1983).

Mexican scholars, usually overlooked in debates regarding American violence, have consistently stressed the importance of examining the region as a transborder and transnational territory. Quick to acknowledge that westward expansion and pacification of the border have received the most attention from American scholars, Daniel Cosío Villegas urged a more complicated approach to the study of border conflict by identifying specific areas of study, including westward movement; the official boundary; the role of the border in Juarez's restoration of the Republic (War of the Intervention); border cooperation against Indian depredations, cattle raids, revolutionary activity; and cultural confrontation. The state of research forced Cosío Villegas to conclude "neither North Americans nor Mexicans have accustomed themselves in their studies to regard as a unique, or at least common, history, the one that takes place in a wide strip of land south of the United States and north of Mexico."[36]

Relying heavily on the earlier work of Cosío Villegas, Manuel Ceballos-Ramírez and Oscar Martínez stress ambivalence as the defining characteristic of conflict between two nations "because both Mexico and the United States were simultaneously victors and vanquished." Ceballos-Ramírez and Martínez proffer a periodization they argue demonstrates a gradual accommodation. They begin with the immediate postwar period to the Porfiriato, an era defined primarily by

[36] Daniel Cosío Villegas, "Border Troubles in Mexican-United States Relations," *Southwest Historical Quarterly* 72:1 (July 1968): 38-39.

boundary disputes, filibustering, and Indian raiding. Lesser issues during this period include bilateral relations regarding trade and racial discrimination. The second period coincides entirely with the Porfiriato and can be further divided into the period of Diaz's recognition 1876-1884, political consolidation and success 1884-1905, and dissolution of the Porfiriato 1905-1910. The political successes of the Porfiriato sustained a "climate of cordial understanding." Although, Ceballos-Ramírez and Martínez's analysis introduces both ambivalence and accommodation, "it was the latter that proved to be enduring."[37]

Scholars who have interrogated the dominant theme of "American exceptionalism" have been critical of America's violent past by linking it to a history of imperialism in the West. Reginald Horsman, for example, challenges the celebratory interpretations of violence by examining the contradictions that manifest destiny produced.[38] Richard Drinnon and Richard Slotkin have more explicitly linked American expansion to a legacy of race hatred. Drinnon posits US westward expansion as a complicated expression of an ideology of hatred connecting racism and progress. For Drinnon the American expansionist ethos associated with westward movement reveals a dual interdependent project: nation

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[37] Manuel Ceballos-Ramírez and Oscar Martínez, "Conflict and Accomodation on the U.S.-Mexico Border, 1848-1911," in Jaime E. Rodríguez O. and Kathryn Vincent, eds., *Myths, Misdeeds, and Misunderstandings: The Roots of Conflict in U.S.-Mexican Relations* (Wilmington: SR Books, 1997): 135, 149, 147, 157.

[38] Reginald Horsman, *Race and Manifest Destiny: The Origins of American Racial Anglo-Saxonism*, (Cambridge: Harvard University Press, 1981): 5; 236.

building and native hating.[39] Slotkin's regeneration through violence thesis reveals the "historical development" and "mythic representation" of American violence through the trope of "savage war" and its stages: regression, redemption, and regeneration. "The premise of 'savage war,'" Slotkin explains, "is that ineluctable political and social differences –rooted in some combination of 'blood'and culture –make coexistence between primitive natives and civilized Europeans impossible on any basis other that of subjugation."[40]

New Western Historians have attempted to account for those groups traditionally excluded from the master narrative of American expansion.[41] Increasingly uncomfortable with master narratives that deny diversity in America's western saga, New West historians deliberately moved beyond

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[39] Richard Drinnon, *Facing West: The Metaphysics of Indian-Hating and Empire Building* (Norman: University of Oklahoma Press, 1997): 464.

[40] Richard Slotkin, *Gunfighter Nation: The Myth of the Frontier in Twentieth Century America* (New York: Harper Perennial, 1992): 12-13. Also see other works by Richard Slotkin, including, Richard Slotkin, "Buffalo Bill's 'Wild West' and the Mythologization of the American Empire" in Amy Kaplan and Donald Pease, eds., *Cultures of United States Imperialism* (Durham: Duke University Press, 1993): 164-181; *Regeneration Through Violence: The Mythology of the American Frontier, 1600-1860* (Middletown: Wesleyan University Press, 1973); Richard Slotkin, *The Fatal Environment: The Myth of the Frontier in the Age of Industrialization, 1800-1890* (Middletown: Wesleyan University Press, 1985).

[41] For general works on Frederick Jackson Turner, see Jackson Putnam, "The Turner Thesis and the Westward Movement: A Reappraisal" *Western Historical Quarterly* 7 (October 1976): 377-404; William Cronon, "Revisiting the Vanishing Frontier: The Legacy of Frederick Jackson Turner" *Western Historical Quarterly* 18 (April 1987): 157-176; John Mack Faragher, "'A Nation Thrown Back Upon Itself:' Frederick Jackson Turner and the Frontier," in *Rereading Frederick Jackson Turner "The Significance of the Frontier in American History" and Other Essays,* (New York: Henry Holt and Co.: 1995).

"cowboys and Indians" history.[42] Engaging the nation's "legacy of conquest," scholars such as Patricia Limerick, have begun to view the West as a place "undergoing conquest and never fully escaping its consequences," making the West, a "meeting ground" between "diverse groups" struggling for legitimacy.[43]

Despite the renewed interest in processes of exclusion, David Gutiérrez rightfully reminds us that the multiculturalism gestured to by Limerick and others, has occupied Mexican Americans for some time. "It has become fashionable," David Gutiérrez asserts,

> to pose questions about the contributions and significance of various groups of minority people to the pluralistic culture of the United States. While most of the institutions sponsoring such observances appear to be well-intentioned, too few seem to recognize that framing these questions in this manner (once again) encourages a reproduction of modes of analysis which virtually guarantee that the categories minority and majority -and the asymmetrical relationships of power that they imply- will continue to persist, and be reinforced.[44]

Gutierrez adds, "at some level we accept the premise that the significance of one group of people must be explained with reference to some other group." Efforts to document the significance and contribution of ethnic Mexicans must "begin with

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[42] See for example, William Cronon, George Miles and Jay Gitlin, eds., *Under an Open Sky: Rethinking America's Past* (New York: W.W. Norton & Co., 1992); Patricia N. Limerick, Clyde A. Milner and Charles E. Rankin, eds., *Trails: Toward a New Western History* (Lawrence: University Press of Kansas, 1991); Patricia N. Limerick, *The Legacy of Conquest: The Unbroken Past of the American West* (New York: W.W. Norton & Co., 1987); Richard White, *"It's Your Misfortune and None of My Own:" A New History of the American West* (Norman: University of Oklahoma Press, 1991).

[43] Limerick, *The Legacy of Conquest*, pp. 26-27.

[44] David Gutierrez, "Significant to Whom: Mexican Americans and the History of the American West," in *A New Significance: Re-envisioning the History of the American West* edited by Clyde A. Milner, (New York: Oxford University Press, 1996): 67.

an acknowledgement of how American ideologies of expansion have powerfully influenced historical representations of and about 'Mexicans' (and other subject groups) after the United States acquired the region." There can be little doubt that ethnic Mexicans "have been involved in a protracted struggle to prove their importance, to prove themselves significant in American society."[45]

Inspired by third world struggles, many Chicano scholars were initially seduced by the internal colonial model as an explanatory tool to more fully explain political, social and economic subordination.[46] Despite its early appeal many quickly questioned the model's ability to account for internal class differentiation, the interdependence between shifting race and class positions, the limitations of politics of victimization, and the narrow success of civil rights struggles. Eschewing any attempt to conflate the Chicano experience to other "colonized minorities," Tomás Almaguer noted that internal colonialism was

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[45] Ibid., 67-68. See also, Antonia Castañeda, "Women of Color and the Rewriting of Western History: The Discourse, Politics and Decolonization of History," *Pacific Historical Review* 61:4 (November 1992): 501-533.

[46] See Acuña, *Occupied America*; Tomás Almaguer, "Toward the Study of Chicano Colonialism" *Aztlan* 2: 1 (Spring 1971): 7-21; Guillermo V. Flores, "Race and Culture in the Internal Colony: Keeping the Chicano in His Place" in Frank Bonilla and Robert Girling, eds., *Structures of Dependency* (Stanford: Ford Foundation/Institute of Political Studies, 1973): 189-223. See also Pablo González Casanova, "Internal Colonialism and National Development," *Studies in Comparative Development* 1:4 (1965): 27-37; Robert Blauner, "Internal Colonialism and Ghetto Revolt" *Social Problems* 16: 4 (Spring 1969): 393-408; Robert J. Hind, "The Internal Colonial Concept," *Comparative Study of Society and History* 26:3 (July 1984): 543-568.

"unduly influenced by the nationalistic sentiment that informed the initial development of Chicano research."[47]

Conscious of the detrimental influence of cultural nationalism, many Chicano scholars sought an alternative to the internal colonial model. These new approaches emphasized class and social subordination that resulted from global processes of capitalist transformation. Chicano historians provided fresh insights into the complexities of social change, analyzing Anglo-Mexican class conflict through "racial fault lines" and "race situations."[48] Montejano's "relaxed class analysis," for example, argues that both class and race situations are determined by the larger class structure and are articulated differently in specific "local societies."[49]

In an effort to move away from a romanticized representation of the frontier, Chicano scholars tackled racial violence head on. Chicano scholars have generally accepted the view that Anglos, especially with the aid of the Texas Rangers, visited substantial violence against *Mexicanos*. Yet, much of the explanation for conflict remains under theorized. David Montejano, for example, claimed the period following the US-Mexico war amounted to "a state of virtual

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[47] Tomás Almaguer, "Ideological Distortions in Recent Chicano Historiography: The Internal Colonial Model and Chicano Historical Interpretation," *Aztlan* 18:1 (Spring 1987): 7-28.
[48] Tomás Almaguer, *Racial Fault Lines: The Historical Origins of White Supremacy in California* (Berkeley: University of California Press, 1994); David Montejano, *Anglos and Mexicans in the Making of Texas, 1836-1986* (Austin: University of Texas Press, 1987).
[49] Montejano, *Anglos and Mexicans in the Making of Texas,* pp. 6-7.

warfare" between "a mobilized Mexican element matching arms with the local constabulary and the Texas Rangers." The Texas Rangers, according to Montejano, were quite simply "a military police of occupation, waging sporadic warfare whenever the need arose." Montejano also notes that it was the "uninvolved civilian population, who bore the brunt of escalating and indiscriminate retaliation and counter retaliation."[50]

Surprisingly, Montejano abandons the emphasis on "sporadic" and "virtual" war carried out by a paramilitary force arguing the post war situation witnessed the development of a "peace structure," or a "general postwar arrangement" made it possible for "the victors to maintain law and order without the constant use of force." The repercussions of violent episodes produced the "fear that perhaps motivated the practice of benevolent *patronismo* on their [Anglos] part." Thus, elites who comprised "a clique of Anglo merchants, military officers, and lawyer politicians," became "a self-conscious foreign enclave" who were able to maintain order "without the constant use of force." The peace structure of south Texas was characterized by two fundamental characteristics: "the subordination of Mexicans to Anglos in matters of politics and authority," and "the accommodation between new and old elites." Thus, Montejano's accommodation thesis stresses that the most intense and overt period of conflict

[50] Ibid., 32-34.

passed before the region fully became incorporated into the circuits of US capitalist production.[51]

José Limón takes a decidedly different tack than Montejano. "Since the 1830's," Limón argues, "the Mexicans of south Texas have been in a state of social war with the 'Anglo' dominant Other and their class allies. This has been at times a war of overt massive proportions; at others covert and sporadic; at still other moments, repressed and internalized as a war within the psyche, but always conditioned by an ongoing social struggle fought out of different battlefields."[52] Limón makes a critical point suggesting that social war against Anglos is also a war directed inwards. However, the elements of the social war identified by Limón: the persistent struggle between Anglos and Mexicans, fought on different fronts, and with an internal dimension, do not fully explain the permanent nature of social struggle between these groups. Although Limón initially embraces the pervasiveness of Anglo-Mexican conflict, he too quickly abandons the emphasis on its enduring aspects for Montejano's teleological accommodationist model.

The social war of the US-Mexico Borderlands during the second half of the nineteenth century included a wide variety of violences, fluctuating between "depredations" and punitive expeditions, sometimes erupting into more intense conflicts that achieved the status of war. Social war betrays mixed motives by

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[51] Ibid., 32-34.

[52] José Limón, *Dancing with the Devil, Society and Cultural Poetics in Mexican-American South Texas* (Madison: University of Wisconsin Press, 1994), pp. 15-16.

combatants, with *Mexicanos*, Anglos, and Indigenous peoples fighting on all sides and driven by a variety of alliances. It also exposes the constant negotiation of *Mexicano* identities and strategic claims to citizenship in the context of the social, political and economic spaces they had traditionally dominated and only recently, if reluctantly, were forced to concede. The social war was not only simply a manichaean racial struggle, rather it was complicated by *Mexicanos* who, wittingly or unwittingly, conspired with Anglo merchants and others, including rangers.

The role of capitalism in creating the context for violence has received only cursory treatment. Brown situates Western violence as part of a "conservative, consolidating authority of modern capitalist forces." The first and most violent period (1850-1920) of the Western Civil War of Incorporation saw gunfighters as mercenaries in service of the "commanders of incorporation" -powerful men who orchestrated capitalist expansion "from afar with policy and strategy that often resulted, sometimes by design, in violence." Brown includes the US-Mexico Borderlands in his analytical framework by simply designating the region as part of the "North Mexican Civil War of Incorporation." Brown's effort to explain violence by linking it to larger processes of capitalist transformation produces troubling contradictions, as, for example, when Brown claims that "more often than not the nonviolent means of legislation,

administration, court rulings, and the impersonal trends of economics and culture accounted for incorporation in the West." "The American Southwest is linked – decidedly more so than the northern west," opines William Robbins, "to traditions of violence and cultural and ethnic oppression, circumstances that still persist." Robbins easily accepts capitalism as the critical element in the transformation of the region but does not go further in examining the complicated role of violence in processes of "conquest, continued economic domination, and cultural and racial oppression."[53]

The problem in fully linking capitalist expansion to more complex approaches to violence has resulted from a narrow view of colonialism. Generally overlooked has been a more precise notion of the type of colonialism in the US west. "For all the homage paid to heterogeneity and difference," suggests Patrick Wolfe, "the bulk of 'post'-colonial theorizing is disabled by an oddly monolithic, and surprisingly unexamined, notion of colonialism." The struggle produced by settler colonialism was not limited to violent physical encounters only, but included the mechanisms that represented the depredations, punitive raids or wars as legitimate or illegitimate. The ideological exigencies of invasion and settlement demanded that Anglos reserve for themselves the prestige and honor of frontier defense. "The colonizers," Wolfe argues, "come to stay *–invasion is a structure*

[53] Richard M. Brown, "Western Violence: Structure, Values, Myth," *Western Historical Quaterly* 24:1 (February 1993): 9, 6. William G. Robbins, *Colony and Empire: The Capitalist Transformation of the American West* (Lawrence: University Press of Kansas, 1994): 25-26.

*not an event*." Thus, settler colonialism required an ideological apparatus when expanding into already occupied lands. According to Wolfe, "in the settler-colonial economy, it is not the colonist but the native who is superfluous." However, settler colonialism was overwhelmed by an inherent contradiction –that is the reliance on indigenous labor as guides, interpreters, protectors, and laborers. Given that settler societies depended on indigenous peoples for survival (and labor), the strategies of domination practiced by the colonist were necessarily also ideological. "In settler-colonial formations, in other words, ideology has a higher systemic weighting –it looms larger, as it were– than in other colonial formations."[54]

When too much emphasis is placed on capitalist transformation and state formation, resistance gives way to accommodations gradually imposed by market forces. The critical developments of capitalist transformation: the arrival of the railroad, the subjugation of the Apache, and the consolidation of the Porfiriato, imply that the imposition of capitalist social relations were a singular moment. As a more or less external and one-dimensional teleological process occurring in a single moment, capitalist transformation generates only short-lived resistance.

[54] Patrick Wolfe, *Settler Colonialism and the Transformation of Anthropology: The Politics and Poetics of an Ethnographic Event* (London: Cassell, 1999): 1-3, 28.

However, processes of material and social enclosure unfold rather slowly, relying on daily violence or the threat of it.[55]

### *Ideological complications of war*

Early studies of racial superiority inherent in the project of manifest destiny, do not fully explore the implications of persistent racial ideologies within the context of a permanent and primitive social war. Amy Kaplan offers an important critique in her interrogation US historiography's "paradigm of denial." She introduces culture as a key analytical concept to study US expansion. According to Kaplan, scholars have omitted empire from the study of American culture; culture from the history of US imperialism; and the US from postcolonial studies of imperialism. Specifically, Kaplan urges a "multicultural critique of American ethnocentrism" that investigates the manner in which "diverse identities cohere, fragment, and change in relation to one another and to ideologies of nationhood through the crucible of international power relations, and how, imperialism is a political or economic process abroad as inseparable from the social relations and cultural discourses of race, gender, ethnicity, and class at

[55] Recently, interest in enclosures has been revived, dividing them between old and new. For the Midnight Notes collective, enclosures "are not a one time process exhausted at the dawn of capitalism." "They are," the Collective suggests, "a regular return on the path of accumulation and a structural component of class struggle." The goal of enclosure was to "eliminate any 'traditional,' 'organic,' or institutionalized relation between proletarians themselves and the powers of the earth or of their past." Midnight Notes Collective, "Introduction to New Enclosures" *Midnight Notes* 10 (Fall 1990): 1-3.

home." Thus, imperialism is as much about "consolidating domestic cultures" as it is about international relations and economic expansion.[56]

While all species of material violence lent themselves to the discursive practice of subjugating Indigenous peoples and *Mexicanos*, war especially was important in developing national narratives. The very process of naming wars maintains racial, class and gendered boundaries. "Wars," Kaplan suggests, "generate and accumulate symbolic value by reenacting, reinterpreting, and transposing the cultural meaning of prior wars." Kaplan argues that the Spanish American War, for example, "continued the Civil War in an imperial national discourse" that, in turn, offered the opportunity to address the tensions of domestic race relations that remained unresolved after Reconstruction. If wars, as Kaplan argues, "continue each other," it should be of little surprise that some wars generate more symbolic capital than others.[57] Attention to wars can also reinforce already accepted negative representations.

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[56] The notion of imperialism's role of domesticating national culture comes from Amy Kaplan, "'Left Alone with America,' The Absence of Empire in the Study of American Culture," in *Cultures of United States Imperialism* (Durham: Duke University Press, 1993): 3-21. See for example William Appleman Williams, "The Frontier Thesis and American Foreign Policy," *Pacific Historical Review* 24 (November 1955): 379-95 and Gareth Stedman Jones, "The History of US Imperialism," in *Ideology in Social Science, Readings in Critical Social Theory* (New York: Pantheon Books, 1972).

[57] Amy Kaplan, "Black and Blue on San Juan Hill," in Amy Kaplan and Donald Pease, eds., *Cultures of United States Imperialism* (Durham: Duke University Press, 1993): 219-220. For an excellent study that specifically investigates the complicity of the historiography of the War of 1898 and how it "served subsequently as the rationale of systems of domination," see Louis A. Pérez, *The War of 1898: The United States and Cuba in History and Historiography* (Chapel Hill: The University of North Carolina Press, 1998). Also see N. Ray Gilmore, "Mexico and the Spanish-American War" *Hispanic American Historical Review* 43 (November 1963): 511-525.

Thus, the social war that dominated the landscape of the US-Mexico Borderlands during the late nineteenth century reveals much about the struggle for national meaning and identity. This process of naming and narrating war, on the other hand, underscores how Indigenous peoples and *Mexicanos* have been excluded from Anglo "invented traditions." The glories and sacrifices of war, and the accolades of the "progress" that it ushered in, were only available to those select few who could claim them.[58] Episodes of conflict, once selected, are put to specific ideological uses -most notably in the maintenance of a national imaginary. Thus, war, much like print culture, contributed significantly to constructing the cultural artifact of the nation. Representations of war provided the ideological material essential for the development of the nation. Indeed, claims made about war in a broader context of border conflict facilitated the "deep horizontal comradeship" that sustained what Benedict Anderson referred to as the "imagined community."[59]

There is a great deal of conceptual and analytical ambiguity in determining the type of war as well as intensity of warfare along the Indian frontier. "We hear only of 'Indian wars,'" Ward Churchill explains, "never of 'settler wars.'" "It is as if the native, always 'warlike' and 'aggressive,' had

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[58] Eric Hobsbawm and Terence Ranger, eds., *The Invention of Tradition* (Cambridge: Cambridge University Press, 1989).

[59] Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 1991): 5-7.

invaded and laid waste to London and Castile rather than engaging in desperate and always futile efforts to repel the hordes of 'pioneers' and 'peaceful settlers' overrunning their homelands –often quite illegally, even in their own terms— from sea to shining sea." [60] The ambiguity that resulted from the US Indian policy permitted some engagements to be designated as "wars" while other operations fell loosely under the rubric of police actions or simply engagements.[61] The criteria by which such conflict achieves the status of war, skirmish or police action remains undisclosed, leaving Indian warfare as a category of war treated all too casually.[62] "The formless and intermittent character of Indian warfare, and its peculiar status as a rebellion of a dependent nation within the territory of the United States," according to Francis Wormuth and Edwin Firmage, "no doubt encouraged the informality with which Indians were treated."[63] However, despite the status of "domestic dependent nations," explain Wormuth and Firmage, all

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[60] Ward Churchill, *A Little Matter of Genocide: Holocaust and Denial in the Americas 1492 to the Present* (San Francisco: City Lights Books, 1997): 3.

[61] This point has been accepted by a number of authors, see Robert Utley, "A Chained Dog: The Indian-Fighting Army, Military Strategy on the Western Frontier," *The American West* 10:4 (July 1973): 18-24; 61.

[62] For an example of specific works that treat Anglo-Indian conflict, see Robert Wooster, "The Army and the Politics of Expansion: Texas and the Southwestern Borderlands, 1870-1886" *Southwestern Historical Quarterly* 93 (October 1989): 151-167; Thomas Smith, "US Army Combat Operations in the Indian Wars of Texas, 1849-1881" *Southwestern Historical Quarterly* 99: 4 (April 1996): 501-531.

[63] Francis D. Wormuth and Edwin B. Firmage, *To Chain the Dogs of War: The War Power of Congress in History and Law* (Urbana: University of Illinois Press, 1989): 125-133.

three branches of governments described the "incalculable" conflicts with Indians as war.[64]

Recently, scholars have begun to apply the concept of "total war," a form of modern warfare developed during the US Civil War, to the Anglo-Indian context. Initiated by generals under president Abraham Lincoln, total war initially meant destroying the enemy's ability to wage war and completely undermining their capacity to resist.[65] The redeployment of the Grand Army of the Republic to assist in Westward expansion after the Civil War allowed Generals William Sherman and Philip Sheridan to apply doctrines and tactics articulated earlier to combat against Indigenous peoples on the plains. "There is no question," John Waghelstein asserts, "that the United States had occasionally conducted total war against Indians in the past." It was the Civil War that created "a set of leaders who saw all forms of war as total requiring the application of all force and technology available."[66] Thomas Smith concurs: "Although not a nineteenth century military term the modern definition of a strategy of attrition more aptly describes U.S.

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[64] In 1831 in *Cherokee Nation v. Georgia*, Chief Justice Marshall elaborated the legal doctrine defining Indians as "domestic dependent nations" and relegating them to "a state of pupilage."

[65] Francis Jennings argues total war as a deliberate state policy has a longer history. Early English settlers visited total war against the Irish well before defeating Indigenous enemies in the Americas. Such a strategy was geared towards total annihilation making use of the introduction of disease, the destruction of crops and the elimination of shelter. In some cases it meant indiscriminate targeting of women and children. *The Invasion of America: Indians, Colonialism, and the Cant of Conquest* (New York: W.W. Norton & Company, 1976). See also Ward Churchill, *A Little Matter of Genocide: Holocaust and Denial in the Americas 1492 to the Present* (San Francisco: City Lights Books, 1997).

[66] John Waghelstein, "Preparing the US Army for the Wrong War, Educational and Doctrinal Failure, 1865-1891," *Small Wars and Insurgencies* 10:1 (Spring 1999): 12.

Army frontier operations over three decades in Texas: a slow grinding down of Indian combat power, a willingness to trade man for man until ultimately the side with the greatest number of reserves win." There was no clearer example of total war than the strategy of winter campaigning.[67] Scholars such as Waghelstein and Smith agree that it was in the context of western expansion that the nation's military leaders radically revised their strategies for future wars, replacing long held strategy of "wars of movement and posts." "War," Waghelstein concludes "in which the capture of the enemy's cities was replaced by the destruction and total submission of the enemy."[68] But the war against America's indigenous peoples was not fully a "total war." Rather, the orchestrated subjugation of Indigenous peoples throughout the plains betrayed a combination of older forms of warfare in addition to the devastating innovations developed during the US Civil War.

Historians have also taken to describing the conflicts between Indigenous peoples and Anglos, including both federal forces and state volunteers, as guerrilla warfare. Often when scholars apply guerrilla warfare to the region they

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[67] Thomas T. Smith, "U.S. Army Combat Operations in the Indian Wars of Texas, 1849-1881" *Southwestern Historical Quarterly* 99: 4 (April 1996): 529. Smith also points out that officers were asking for winter campaigns even before the Civil War, (p. 506).

[68] Waghelstein, "Preparing the US Army for the Wrong War," pp. 11-13. See also John D. Waghelstein, "Preparing for the Wrong War: The United States Army and Low-Intensity Conflict, 1755-1890," (Ph. D. diss., Temple University, 1990).

conflate it with irregular warfare, leaving both concepts undefined.[69] Waghelstein argues that the US Army had a long history of engaging in guerrilla or irregular warfare, especially against Indigenous peoples. Despite this experience, the US Army continued to prepare for wars following nineteenth century European "set-piece battle" doctrines.[70] An equally problematic category that has been applied to Anglo-Indian conflict during the nineteenth century has been low intensity conflict.[71]

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[69] The guerrilla warfare of this period was not the type of guerrilla warfare we have come to know during the late twentieth century. The guerrilla warfare associated with the Guevarist model had as its goal the subjective conditions for an organized resistance on a systemic scale, or revolution. Victory would entail a dramatic social change. Guerrilla warfare without ideological trappings emerged during the Spanish resistance against Napoleon when the term was first developed. John Lawrence Tone argues that guerrilla, or little war, originally referred to skirmishes fought by small detachments of regular armies in 1808. Guerrilla war was *transformed* and *entered the military vocabulary* as an "irregular war of civilians against the occupation forces of a foreign power or an unpopular regime." Guerrilla forces required occupying armies to be constantly on the alert thus pursuing a kind of psychological warfare. The constant pressure obtained by guerrilla warfare eliminated the possibility of truces, safe havens, and seasonal campaigns, exhausting forces and dissipating scarce resources. Success in guerrilla war "is not measured only by the number of battles won and the effect of espionage and terror," but is, according to Tone, "about controlling the fruits of the rural economy." John Lawrence Tone, *The Fatal Knot: The Guerrilla War in Navarre and the Defeat of Napoleon in Spain* (Chapel Hill: University of North Carolina Press, 1994): 4-5. See, also Brian Loveman and Thomas M. Davies, Jr., "Guerrilla Warfare, Revolutionary Theory, and Revolutionary Movements in Latin America," in Che Guevara, *Guerrilla Warfare* (Wilmington: SR Books, 1997): 1-38.

[70] John Waghelstein, "The Mexican War and the American Civil War: The American Army's Experience in Irregular Warfare as a Sub-set of a Major Conventional Conflict," *Small Wars and Insurgencies* 7: 2 (Autumn, 1996): 139-164.

[71] Low intensity warfare has developed in conjunction with specific foreign policy objectives. Low Intensity War is a strategy that seeks to control populations, usually indigenous to a region rather than conquer territory in a traditional military sense. Strategies operating under the rubric of low intensity war include: a systematic program of sporadic police actions, random terror executed primarily through paramilitary activity, prominent public aid and social services, and media manipulation and disinformation in order to exploit religious and political divisions in targeted communities with the goal of undermining popular support for insurgents. For an example of low intensity war applied in the specific context of the struggle in Chiapas, Mexico, see Martha Patricia López A., *La Guerra de baja intensidad en México* (México, D.F.: Plaza y Valdés, 1996);

Ultimately, scholars such as Waghelstein have conflated guerrilla, irregular and low intensity warfare, using the concepts interchangeably and undermining their analytical utility. Recent studies have been quick to apply "guerrilla war" or "low intensity war" as analytical concepts in an attempt to better describe the intensity, persistence and uniqueness of the campaigns US military forces were forced to manage during the period. Ultimately such approaches subsume a variety of events, such as raids, skirmishes, punitive expeditions, and scouts (or patrols) between Anglos, *Mexicanos* and Indigenous peoples into one rubric of conflict. However, these concepts taken out of historical context lack analytical specificity given that both are more accurately linked to specific political formations and policy objectives that did not yet exist. More importantly, irregular and guerrilla warfare have been denied the symbolic freight that other wars, notably the US-Mexican War and US Civil War, have claimed in the region.

Part of the conceptual murkiness regarding war and warfare in the US-Mexico Borderlands can be explained by the very lack of analytical rigor of war as a category of analysis. Karl Clausewitz's widely accepted nineteenth century framework, for instance, presents war as a discrete, disciplined, and organized

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Francisco Pineda, "La guerra de baja intensidad," in Andrés Barreda, et. al., *Chiapas* 2 (México, D.F.: Ediciones Era, 1996): 173-195; Inés Castro Apreza, "Quitarle el agua al pez: la guerra de baja intensidad en Chiapas (1994-1998)" in Andrés Barreda, et. al., *Chiapas* 8 (México, D.F.: Ediciones Era, 1999): 123-141.

project fulfilling the clearly defined political exigencies of nation building. Clausewitz's rigid definition emphasizes, "that war is not a mere act of policy but a true political instrument, a continuation of political activity by other means." "What remains peculiar to war," Clausewitz adds, "is simply the peculiar nature of its means."[72] Clausewitz's definition of warfare implies an orchestrated series of engagements between two or more opposing forces on a field with set battle pieces. Clausewitz's emphasis on the political nature of war also meant he advocated for the bureaucratization of warfare that easily lent itself to state formation.

Michel Foucault, on the other hand, posits a radically different definition of war and warfare suggesting that politics is in fact war. In his examination of power relations Foucault radically revived war as a category of analysis. According to Colin Gordon, Foucault made available "the idea that the notion of war or struggle could serve as the tool par excellence of political analysis." Most importantly, Foucault's reversal of Clausewitz's famous aphorism presents war as pervasive and constant. War does not only continue politics by other means; rather, as Foucault argues, politics, or more accurately, power relations, is war. "Isn't power," Foucault asks, "a sort of generalized war that, at particular

[72] Quoted in Peter Paret, *Clausewitz and the State*, (Oxford: Clarendon Press, 1976): 393.

moments, assumes the forms of peace and the state?" "Peace would then be a form of war, and the state," he concludes, "a means of waging it."[73]

Foucault radically departs from Clausewitz by distinguishing between historico-political discourse and philosophical-juridical discourses. In order to conduct historical analysis of power relations one must abandon the juridical notion of sovereignty and its preoccupation with a fully constituted subject. "The model," Foucault warns, "presupposes the individual as a subject of natural rights or original powers; it aims to account for the ideal genesis of the state; and it makes law the fundamental manifestation of power." Historico-political discourse, on the other hand, "undertakes not to measure history, unjust governments, abuses, and acts of violence with the ideal principle of reason or a law but, rather, to awaken, beneath the form of institutions or laws, the forgotten past of real struggles, masked victories or defeats, the dried blood in the codes." "Awakening ourselves to the real world of power relations," Gordon reminds us, "is awakening ourselves to a world of endemic struggle." Historical-political discourse "makes war the permanent basis of all institutions of power."[74]

Abandoning Clausewitz's more widely accepted definition of war and embracing the less well known approach by Foucault, allows for an interpretion

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[73] Michel Foucault, *Power*, vol. 3 of *The Essential Works of Foucault 1954-1984,* James D. Faubion, ed. (New York: The New Press, 2000): xxi, 124. Michel Foucault, *The History of Sexuality, An Introduction*, vol. 1, (New York: Vintage Books, 1990): 93.

[74] Michel Foucault, *Ethics, Subjectivity and Truth*, vol. 1 of *The Essential Works of Foucault 1954-1984,* Paul Rabinow, ed. (New York: The New Press, 1997): 59, 62. Foucault, *Power*, p. xx.

of conflict that privileges neither formal wars or irregular warfare. Foucault's analytical departure emphases "that war can be regarded as the point of maximum tension, or as force relations laid bare." Emphasizing relations of power, Foucault's approach to war draws attention to an accompanying apparatus or representational machine that ensured social and political subordination. The material violence, in the episodes of the actual fighting, and the symbolic violence, in the process of naming and narrating, are necessarily intertwined. War, once articulated through a representational machine, enabled Anglos to claim frontier defense for themselves and to mask a settler colonial project that was otherwise brutal. It is an approach that invites the analyst of power relations between Anglos, Indigenous peoples, *Mexicanos* to look "beneath the calm order of subordinations in order to discover a sort of primitive and persistent war."[75]

A comment on the less than cautious application of Antonio Gramsci's concept of war of maneuver and war of position common in studies by Chicano authors is necessary. The application of Gramsci's notions of war of maneuver and war of position do not fully explain conflict in the US-Mexico Borderlands as endemic. For instance, it privileges the war of position as the dominant operation. While Gramsci's distinction between maneuver and position have been useful in exposing more subtle processes of "hegemony," the separation between the two

[75] Michel Foucault, *"Society Must Be Defended," Lectures at the Collége de France, 1975-76* trans. David Macey, (New York: Picador, 2003): 46-47.

and emphasis on position runs the risk of representing conflict as episodic and not a fundamental and persistent part of larger processes of transformation and, in keeping with a Gramscian framework, hegemony.[76] In addition, Gramsci did not limit his analysis to either position or maneuver but distinguished between three types of warfare: maneuver, position, and underground. His inclusion of underground warfare insists on accounting for the historical and political conditions of colonial domination. Moreover, it is clear that all three types of warfare are in tension at any given moment.[77]

In chapter one I examine representative figures as agents of violence. Scrutiny of these frontier figures brings to light the complicated role historiography played in romanticizing the role of the ranger and criminalizing the *Mexicano* as either a bandit or *ranchero*. Renewed attention to these dominant figures also introduces how frontier defense emerged as a race project.

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[76] Hegemony has too often been allowed to mean domination despite Gramsci's stress on the cultural leadership of a class exercised through cultural legitimacy and consensus. It has been used as a "highly abstract concept" that, Jorge González warns us, "happens at the macro-scale of the nation-state or the world system: all social classes fall under the command of a certain block of dominants." As an alternative to emphasizing the dominance of any one class or group, hegemony is more productively understood as "not a direct stimulation of thought or action but a framing of competing definitions of reality to fit within the dominant class's range." "Every situated hegemony is always subject to a variety of symbolic struggles in which various social agents – corporations, institutions, classes, groups—invest mightily in the hard work of discursive elaboration of possible links and commonalities." Jorge González, "Cultural Fronts: Towards a Dialogical Understanding of Contemporary Cultures," in James Lull, ed. *Culture in the Communication Age* (New York: Routledge, 2001): 107; 112

[77] Antonio Gramsci, *Selections From the Prison Notebooks of Antonio Gramsci,* eds., Quintin Hoare and Geoffrey W. Smith (New York: International Publishers, 1989): 229-238. It is useful to keep in mind Gramsci's warning that his analogy of war should not, in specific instances, be applied so literally.

In the chapters that follow I investigate various instances of the border war. Chapter two examines representative samples of depredations. Depredations could be carried out under the cloak of legality such as when Richard King severely persecuted an entire *Mexicano* community and hanged an innocent man, all as part of a search for a thief. Of course, Indigenous bands did attack settler parties as when Martin Amador's freighting parties were forced to defend themselves in 1864. The response to depredations, often carried out by combinations of Anglos, *Mexicanos* and Indigenous groups, were swift. Such a case was the rapid retaliation on behalf of Ward Blanchard in 1872. Raids could be directed at a whole community that was otherwise targeted for its mistreatment of *Mexicanos* or Indigenous peoples. The raid on Laredo in 1875 is clear example of the complex nature of retaliatory raids during this period. Attacks could easily paralyze an entire community for days as, for example, when Laredo suffered the violence of a mixed group of forty raiders in 1878.

I complicate the category of depredations by investigating the Merchants War, Callahan Expedition, the Cart War and the Las Cuevas War in chapter three. These events have resisted easy categorization although they have been largely relegated to "brushfire" and Indian wars for convenience sake. The episodes examined in this chapter, including James Callahan's burning of Piedras Negras in 1855 and Leander McNelly's attack on Las Cuevas in 1875, conform more to

depredations than anything else despite being carried out under the cloak of legal justice. Under closer examination the Cart War resembles more an act of highway robbery as Anglo freighters and their allies made every effort to eliminate the successful competition of *Mexicano* cart men. The Las Cuevas War, on the other hand, completely fails to achieve the status of "war." Appearing more as an unprovoked raid, McNelly's persistent efforts to punish Mexico resembled the invasion executed by John Ford during the Cortina War, a racially motivated personal vendetta operating under the guise of formal warfare.

In chapters four through six I examine two prominent insurgencies: the Cortina War 1859-1860 and the San Elizario Salt War 1877. The Cortina War and the San Elizario Salt War have long been accepted as primary examples of *Mexicano* resistance to Anglo dominance. However, the celebration of these defiant moments, largely by Chicano scholars, has obscured a number of complications. *Mexicanos* played decisive roles on both sides of the battles, confirming racial antagonism that did not easily conform to racial boundaries. The enthusiasm of recuperating *Mexicano* resistance often meant uncomfortable contradictions were overlooked. As Ranajit Guha warns: "Blinded by the glare of perfect and immaculate consciousness the historian sees nothing, for instance, but solidarity in rebel behavior and fails to notice its Other, namely, betrayal."[78] Despite this complication, or more accurately because of it, these episodes remain

[78] Guha, "The Prose of Counter-Insurgency," p. 365.

critical to understanding the role violence played in defining the region. Although these insurgencies had, for the most part, limited political and social goals, they did attempt to avenge Anglo injustice and restore previous social, economic and political relations. The Cortina and Salt Wars were insurgencies executed by a diverse but organized portion of the *Mexicano* community, a population that has been rendered mostly invisible in the multiple and competing interpretations of frontier defense, articulated through race.

In chapter seven I investigate the series of investigations that followed major episodes of conflict and produced significant collections of documents. Initially, investigations simply collated relevant documents that had circulated during a specific moment of turmoil. However, the sophistication and quality of investigations increased over time. Gradually, each investigation began to rely on the achievement of the previous effort. The result was an authoritative narrative of frontier conflict. One of the most important investigations, "Depredations on the Frontiers of Texas," also known as the Robb Commission, reflected a specific effort by Congress. In response to the formation of the 1872 Robb commission, Mexico had "the matter investigated on its side, and as impartially as possible, for it felt the necessity of being prepared against the plots of some malicious claimants and other ambitious private parties in this country." On October 2, 1872, the Mexican Congress appointed Ignacio Galindo, Antonio García Carrillo

and Augustin Siliceo to investigate a portion of the border that totaled close to four hundred fifty miles. The Committee attacked public archives and interviewed scores of witnesses. They completed and published their work in December 1873 with a translated edition circulated in the US two years later. Unlike the American investigations that preceded and followed it, the Mexican Committee more analytical approach breaks down frontier conflict into its most significant elements, allowing the Mexican investigation to be notably less accusatory and one of the most sophisticated investigations.[79]

In the final chapter I conclude the study with a brief summary of the major issues raised by persistent violence that plagued the region. I also propose an analytic or heuristic device of four historical contexts in order to sustain the argument regarding the permanent nature of border warfare.

[79] U.S. House, *Depredations on the Texas Frontier*, 44th Cong. 1st Sess., Misc. Doc. 37. Reports *of the Committee of Investigation, Sent in 1873 By the Mexican Government to the Frontier of Texas*, translated from the Official Edition Made in Mexico, (New York: Baker and Godwin, Printers, 1875): iii-iv.

# 1. TEXAS THREE CORNERED CONFLICT

> "In actual history, it is a notorious fact that conquest, enslavement, robbery, murder, in short, force, play the greatest part."
>
> Karl Marx[1]

"Most Texas historians," T. R. Fehrenbach remarks, "have depicted the essential story of Texas as one of enduring racial and cultural conflict and war."[2] Fehrenbach, and the scores of Texas scholars who have followed the rutted trails of Texas historiography, have tended to interpret US-Mexico Border conflict during the late nineteenth century as a "race war." Relying on race war as an interpretive framework celebrates Anglo's singular ability to adapt and change to the exigencies of westward expansion, making shootings, lynchings, raids, filibusters, and punitive expeditions a necessary by-product of taming the frontier. For most Anglo scholars conflict was inevitable, making the US-Mexico Borderlands the site of a bloody clash of cultures as America fulfilled her "manifest destiny" to expand across a continent already inhabited by Indigenous peoples and *Mexicanos*.

Walter P. Webb, the most prominent of Texas historians who examined conflict, presented the saga of Texas as a "three cornered conflict" between the Indian Brave, the Mexican *Vaquero*, and the Texas Ranger. "The Americans,"

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[1] Karl Marx, *Capital*, Vol. 1, Ben Fowkes, trans. (New York: Vintage Books, 1977): 874.
[2] T. R. Fehrenbach, *Lone Star: A History of Texas and the Texans, From Prehistory to the Present* (Cambridge: Da Capo Press, 2000): 465.

according to Webb, "slow, powerful, inexorable, made their way westward, coming at length into conflict with the Mexicans along the Rio Grande and with the Indians of the Plains." Webb's race war implies the transformation of the Texan, the Texas Ranger borrowing from the experience and skill of his predecessors: Indigenous peoples and *Mexicanos*. Out of the "cultural triangle" emerged the Texan, "a transplanted American, an outrunner [sic] of the American frontier."[3] Webb's crude social Darwinism reduced race to a one-dimensional static category, presenting conflict as an inevitable process of a superior race overwhelming lesser ones. Moreover, Webb's racial essentialism simply echoes long held views of political elites who expected inferior peoples would simply recede or disappear altogether as Anglos trekked westward. Webb's "three cornered conflict" thesis presents the Texas Ranger as the quintessential frontier fighting force and the primary civilizing agent for an expanding frontier. The Texas Ranger defeated Indigenous peoples and *Mexicanos* and forced them to conform to an Anglo way of life. The "three cornered conflict" thesis gained a great deal of currency in subsequent political histories that celebrated prominent men and noteworthy institutions forged out of the turmoil below, as Webb was fond of saying, "the tamale line."[4]

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[3] Walter P. Webb, *The Texas Ranger: A Century of Frontier Defense* (Austin: University of Texas Press, 1989): 9;14.

[4] Llerena B. Friend, "W.P. Webb's Texas Rangers," *Southwestern Historical Quarterly* 74: 3 (January 1971): 303.

Scholars have paid too little attention to crucial discursive processes of Texas' "racial and cultural conflict," depicting race in the most essentialist of terms and presenting racial conflict as naturalized. In this chapter I first review the critical opposition of Americo Paredes to the Texas Legend. As one of the early critics of the celebratory historical interpretation of the Texas Rangers, Paredes drew attention to the discursive dimensions of Anglo-Mexican conflict. I take up Paredes' discursive intervention by pointing to operations of frontier defense as a race project making reference to the prose of counterinsurgency and the production of a representational machine. I explore these elements in more detail in chapter seven through an examination of the series of investigations organized following major episodes of physical violence. Here, I briefly investigate three central agents in the saga of frontier violence: the Texas Ranger, the "bandit," and the *ranchero*. Specifically, I place the discussion of *Mexicanos* in the context of resistance in order to more fully appreciate the conflation of *rancheros* and "bandits."

### *Frontier Defense as a Racial Project*

Over a generation ago Americo Paredes challenged the currency of the "Texas legend," asking whether it was fact, folklore or "something else?" "The records of frontier life after 1848," Paredes informs his readers, "are full of instances of cruelty and inhumanity." "By far the majority of the acts of cruelty,"

Paredes explains, "are ascribed by American writers themselves to men of their own race. The victims, on the other hand, were very often Mexicans."[5] Paredes' initial critique targeted authors who "have lent their prestige to the legend." Paredes' path breaking work exposed the racial biases that undermined the scholarly integrity of the research produced by scholars such as Webb. According to Paredes, Texas scholars simply parroted the disparaging images, attitudes and beliefs about *Mexicanos* that had originated as war propaganda in 1846. Texas men of letters refused to abandon the stock of wartime themes, having little of a literary tradition to distract them once the war was over. Paredes defiantly summarizes the number of disparaging claims that constituted the Texas legend:

> 1. The Mexican is cruel by nature. The Texan must in self-defense treat the Mexican cruelly, since that is the only treatment the Mexican understands. 2. The Mexican is cowardly and treacherous, and no match for the Texan. He can get the better of the Texan only by stabbing him in the back or by ganging up on him with a crowd of accomplices. 3. Thievery is second nature in the Mexican, especially horse and cattle rustling, and on the whole he is about as degenerate a specimen of humanity as may be found anywhere. 4. The degeneracy of the Mexican is due to his mixed blood, though the elements in the mixture were inferior to begin with. He is descended from the Spaniard, a second-rate type of European, and from the equally substandard Indian of Mexico, who must not be confused with the noble savages of North America. 5. The Mexican has always recognized the Texan as his superior and thinks of him as belonging to a race separate from other Americans. 6. The Texan has no equal anywhere, but within Texas itself there developed a special breed of

[5] Américo Paredes, *With His Pistol in His Hand, A Border Ballad and Its Hero*, (Austin: University of Texas Press, 1958): 16-18.

> men, the Texas Rangers, in whom the Texan's qualities reached their culmination.[6]

Paredes was one of the earliest scholars to link a discursive formation in the form of the Texas Legend to the repression that Anglos, especially through the Texas Ranger, directed against *Mexicanos*. Ultimately, Paredes argued their biased attitudes towards *Mexicanos* allowed them to justify preemptory and retaliatory killings and a system of racialized terror throughout the region.

Paredes indicted authors who indulged racial biases and Texas chauvinism by pointing to how they turned legend into formal historiography. Paredes' critical project contemplates the collusion between popular cultural producers, officials producing legal documents, and scholars who legitimized the commonly held views of heroic Anglo exploits, transforming legend into "history." The recognized documentary evidence fueled the myth, despite a number of irreconcilable inaccuracies and indiscretions not harshly judged by posterity. Judges, lawyers, merchants and local military officials wrote reports for newspapers as Paredes astutely points out, but they also took a number of depositions, produced countless arrest warrants, summoned grand juries, issued writs for extradition, circulated endless pleas to local and federal authorities for aid on a regular basis, comprising a substantial archive of Anglo bias. For Paredes this process entailed two movements, the first was the control of the historical

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[6] Américo Paredes, *With His Pistol in His Hand, A Border Ballad and Its Hero*, (Austin: University of Texas Press, 1958): 16.

record by Anglos. The second was to erase *Mexicanos* as producers of their own histories and as a people with a past. Paredes' challenge to the popularly held beliefs as well as the scholarship that supported them had a far-reaching impact on the succeeding generation of Chicano academics who also began to dismantle the Texas legend.[7] Many who first took up the banner unfurled by Paredes sought to rectify the one sided historiography by documenting the agency of *Mexicanos* throughout the region.

As Paredes argued historiography played a critical role in establishing the Mexican as a "bandit" and the Indian as depraved, making historical production one of the most central and complex aspects of the social war of the Greater Borderlands. Ranajit Guha draws special attention to the codes that comprise a "prose of counterinsurgency," warning the codes enjoy a privileged circulation in the primary, secondary, and tertiary discourses of historiographies complicit in projects of state building and colonial domination. Even radical approaches, part

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[7] For useful overviews treating Chicano historiography see, Carlos Muñoz "The Quest for Paradigm: The Development of Chicano Studies and Intellectuals," in *History, Culture and Society: Chicano Studies in the 1980s* (Ypsilanti: Bilingual Press, 1983); Yves-Charles Grandjeat, "Conflicts and Cohesiveness: The Elusive Quest for a Chicano History" *Aztlan* 18 (Spring 1989): 45-58; Tomás Almaguer, "Ideological Distortions in Recent Chicano Historiography: The Internal Colonial Model and Chicano Historical Interpretation" *Aztlan* 18 (Spring 1989): 7-28; David G. Gutiérrez, "The Third Generation: Reflections on Recent Chicano Historiography" *Mexican Studies/*Estudios Mexicanos 5 (Summer 1989): 281-296; Alex M. Saragoza, "Recent Chicano Historiography: An Interpretive Essay" *Aztlan* 19 (Fall 1990): 1-77; Ramón A. Gutiérrez, "Community, Patriarchy and Individualism: The Politics of Chicano History and the Dream of Equality" *American Quarterly* 45 (March 1993): 44-72.

of the tertiary discourses, fail to represent insurgents as possessing their own array of motivations, "representing them as instruments of some other will."[8]

In the processes of policing "bandits," investigating raids and "depredations," extraditing those who fled to Mexico, and compensating victims of countless incursions, Anglos produced a "representational machine." Ricardo Salvatore defines representational machines as sophisticated technologies that "translate an undifferentiated succession of local, individual, concrete events of encounter into larger, more meaningful narratives –narratives that convey meaning to formulations of nation, empire, race, or masculinity."[9]

Much of the foundation for a representational machine was established by the efforts of civic and military leaders who conducted the series of investigations often referred to as "Mexican Border Troubles" or "Texas Troubles." The combined impact of formal investigations amounted to a discursive technology that interpreted, represented, and displayed the benefits of colonial expansion, sustaining a narrative of frontier conflict that privileged Anglos while defining indigenous inhabitants as criminal and therefore threats to Anglo settler colonialism. The combination of these investigations consolidated strategies and

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[8] Ranajit Guha, "The Prose of Counter-Insurgency," in Nicholas Dirks, Geoff Eley, and Sherry Ortner, eds., *Culture/Power/History: A Reader in Contemporary Social Theory* (Princeton: Princeton University Press, 1994): 337; 364.

[9] Ricardo Salvatore, "Representational Machines of Empire," in Gilbert M. Joseph, Catherine C. Legrand, and Ricardo D. Salvatore, eds., *Close Encounters of Empire: Writing the Cultural History of US-Latin American Relations* (Durham: Duke University Press, 1998): 72-73.

processes of representation that largely excluded *Mexicanos* and Indigenous peoples. Their success made available a historiography and ethnography that racialized *Mexicanos* and Indigenous peoples. The representational machine produced as part of US westward expansion erased them as important agents in frontier defense and settlement, ultimately criminalizing and infantalizing them.

The success of the "representational machine" deployed along the US-Mexico Border during the late nineteenth century was crucial to extending the nascent reach of US state and mercantile authority. The "representational machine" along the Indian and Mexican frontiers made frontier defense the focus for processes that determined national, racial, and gendered belonging on both a national and local level, suggesting that violence, much like print culture, produced competing "imagined communities" and "deep horizontal comradeships" along the border. Thus, the representation and interpretation of conflict, especially through the discursive formation of frontier defense, were an essential element of social dominance and a critical component of an emergent hegemonic order.

The social war of the late nineteenth century, while at one moment, indicates the material violence that plagued the US-Mexico Border, as a discursive formation reveals the symbolic violence integral to hegemonic processes of a nascent and incomplete political, social and economic order

increasingly dominated by Anglos. State discourses, and by extension the historiography of dominant groups it made possible, transformed frontier defense into a race project that solidified social and economic boundaries. More importantly, it concealed the shifting alliances regarding defense, trade and civic duty that were negotiated between all inhabitants of the region.

Michael Omi and Howard Winant, extending the analytical capacity of theories of race, have challenged researchers to move beyond "utopian frameworks" and "essentialist formulations." Central to Omi and Winant's racial formation model is the concept of race projects, which is "simultaneously an interpretation, representation, or explanation of racial dynamics, and an effort to reorganize and redistribute resources along particular racial lines." "Racial projects," Omi and Winant conclude, "connect what race *means* in a particular discursive practice and the ways in which both social structures and everyday experiences are racially *organized*, based upon that meaning." Consequently, racial projects "are always multiply determined, politically contested, and deeply shaped by their historical context." Operating on the macro level of policy-making, state activity, and collective action as well as on the micro level of everyday experience, race projects are pervasive, oscillating "between the discursive or representational means in which race is identified and signified on

the one hand, and the institutional and organizational forms in which it is routinized and standardized on the other."[10]

Frontier defense as a complex "race project" consolidated domestic and international interests. The role of a representational apparatus was also dramatically conveyed in the transformation of the Texas Ranger, the quintessential frontiersman who evolved from an Indian fighter to a lawman, all the while serving as the symbol of Texas' frontier legacy. The ranger became the dominant protagonist in the drama of frontier defense, leaving only subordinate roles for the *Mexicano*. One clear example of how a race project operated was the treatment of the *ranchero*. The discursive formation of frontier defense rendered social groups such as *rancheros*, settlers who played critical roles in earlier pacification projects, as invisible or criminal.[11] As the antagonists in a heroic drama of settlement the *Mexicano's* contributions to settler colonialism, Mexican and US, have been erased. The discursive processes that minimized the role of indigenous groups to the project of settling the region were in every way the operations of an on-going "race project."

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[10] Michael Omi and Howard Winant, *Racial Formation in the United States, from the 1960s to the 1990s* (New York: Routledge, 1994): 54-61. Cf. Tomás Almaguer, *Racial Fault Lines: The Historical Origins of White Supremacy in California* (Berkeley: University of California Press, 1994).

[11] While the entire *Mexicano* community suffered the process of criminalization, and the paramilitary police actions it made possible, women within *Mexicano* border communities were doubly erased.

### *The Texas Rangers*

Probably the most prominent symbol of frontier defense, a figure that embodied all the "noble" characteristics of the frontier hero, is the Texas Ranger. Studies of the Texas Rangers have generally followed the rutted trail originally blazed by Webb, their most zealous and acclaimed researcher. Webb's portrayal of the rangers emphasizes the critical role of leadership and the related attribute of daring exemplified by men who were able to adapt to the harshness of the frontier.[12] Scholars who have trailed behind Webb also highlight what have come to be regarded as the essential characteristics of the ranger including unquestioned courage, leadership, and daring, embodied in such celebrated rangers as John Ford, Leander McNelly and John B. Jones.

The Texas Ranger, a central protagonist in the saga of frontier defense, has, for the most part, been impervious to criticism. Previous scholarship has not escaped the trap of either celebrating rangers as key agents for frontier defense or vilifying them as villains in a system of racial oppression. Rangers appear on the Texas frontier as though immaculately conceived, denying them a history that reflects contradiction and complexity. Mustered into service at key turning points

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[12] Richard White characterizes Webb as an "academic ranger" zealously producing hagiographies of frontier lawmen (Texas Rangers) while obscuring "their daily and often brutal job of keeping those without white skins in their place." Richard White, "Race Relations in the American West" *American Quarterly* 38 (1986): 396-416. For a discussion of Webb's writing of *The Texas Rangers* and his adventures with the celebrated lawmen, see Llerena B. Friend, "W.P. Webb's Texas Rangers," *Southwestern Historical Quarterly* 74: 3 (January 1971.

in Texas' settler colonial project, rangers claimed an exclusive role and unmatched contribution in the unfolding of frontier defense.[13] Although a paramilitary force that played a complicated and decisive role in an unfolding social war, rangers were not a monolithic group. An overlooked dimension of the rangers has been the number of *Mexicanos* who were part of the rank and file of specific companies, especially musters in outlying areas. The rangers, persistent in the actual violence of subjugating the *Mexicano*, have also come to embody discursive processes of law, duty, honor, and protection associated with past and present glories of the state.

Robert Utley, one of the Texas Rangers' most recent celebrants, identifies four distinct qualities of the Ranger. The first was leadership, given that the "Texan fighting men could be led but not commanded." Independent and jealously guarding his freedom –Utley suggests the ranger could only follow someone who had proven his bravery, further underscoring the frontier ethos or at least his vision of what a frontier ethos should be. The personal characteristics of the men who made up the rank and file of the ranger companies composed the second quality. "Most," explains Utley, "were young, hardy, physically fit, courageous, fearless, bold, endowed with fortitude and endurance and ever ready

[13] For a brief discussion of the ranger emerging out of the tradition of the frontiersman such as Daniel Boone as well as other key figures including the scout, ranger, mountain man, plainsman and cowboy, see Robert Utley, *The Indian Frontier of the American West 1846-1890* (Albuquerque: University of New Mexico Press, 1984): 34.

for a fight." The third quality consisted entirely of "the specialized skills of the frontier fighter." The fourth quality, while not a personal characteristic unique to Texans was more his good fortune given that he was able to take advantage of Samuel Colt's revolving pistol. Ultimately, the ranger successfully developed "revolutionary combat tactics drawn from a new weapon."[14] Rangers in this view fully embodied the highest virtues forged by the frontier: unchallenged courage, a sense of duty and honor, inventiveness, and a penchant for progress.

In the zeal to exult the ranger, individual transgression are often overlooked or uncomfortably acknowledged as individual aberrations. More to the point, integrity of each individual ranger is buttressed by an emphasis on the exploits of the rangers as a whole or, in some cases, an emphasis placed on a noteworthy leader. Often overlooked or downplayed in the celebration of the Texas Ranger has been the transformation of the institution. Most portrayals of the ranger present him as immaculately conceived on the plains. Impervious to criticism the ranger does betray a critical element of transformation. Webb himself suggests as much by celebrating the ranger for having appropriated the unique martial abilities of his foes. The Texas Ranger as the region's

[14] Utley, *Lone Star Justice*, pp.3-4. These noteworthy characteristics do not depart from those first celebrated by Webb.

"representative fighting man" could, according to Webb, "ride like a Mexican, trail like an Indian, shoot like a Tennessean, and fight like a devil."[15]

Notably, the ranger had antecedents. Early Anglo efforts of frontier defense, borrowed heavily from the *Mexicano* strategies that preceded them. Early efforts were primarily organized around volunteer companies of minute men, increasingly overtime referred to as "rangers." Andrés Tijerina argues that irregular volunteer forces or rangers developed the concept of the "offensive cavalry tactic." Introduced by *Mexicano* soldiers it was of such magnitude it was imparted to Anglo settlers, including Stephen Austin, at the insistence of Spanish and later Mexican officials. The effectiveness of civilian militias flying companies would remain foremost in *Mexicano* strategies of frontier defense. Later, the Texas Rangers would make use of the strategy, later claiming a minuteman tradition many argue is unique to the American experience. An offensive cavalry tactic also served the US army as it slowly adapted to the military challenges posed by Indigenous peoples.

Equally important has been the transformation of the ranger from a volunteer force to an organized bureaucratized constabulary. David Smith explains "the story that unfolds may be confusing if one searches only for an

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[15] Walter P. Webb, *The Texas Rangers: A Century of Frontier Defense* (Austin: University of Texas Press, 1989): 43.

organized body of men called 'Texas Rangers.'"[16] The development of the Texas Ranger as an institution resulted from conflicting imperatives of frontier defense, including competing strategies of military protection, the subjugation of Indigenous peoples, and later, the policing of criminals.

Not long after the US-Mexico War notable rangers such as John Ford and a number of Texas governors insisted that only a permanent force of rangers could adequately defend the frontier. However, it was not until after the American Civil War that the term Texas Ranger was legally established through the legislative act of September 21, 1866 when Governor Throckmorton issued a call for a regiment of over one thousand men. On June 13 1870, under the direction of Governor Edmund Davis, the legislature mustered twenty companies of Texas Rangers for twelve months service. Utley distinguishes between "two distinctively different bodies of men."[17] On April 10, 1874 Texas Rangers were reorganized from volunteer companies into "a permanent military force that was also a permanent law enforcement arm, under state rather than local control."[18] By 1874 two competing roles for the Texas Ranger were established, defense and law enforcement. Thus, rangers evolved from volunteer citizen soldiers to lawmen.

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[16] David P. Smith, *Frontier Defense in the Civil War: Texas' Rangers and Rebels* ( College Station: Texas A & M University Press, 1992): xii.
[17] Utley, *Lone Star Justice*, p. 287.
[18] Ibid., 145.

Two competing images of the Texas Ranger persist. According to Utley these two images "still war with each other, the one sustaining the bright legend of the state's criminal investigative arm, the other inspiring periodic attempts to abolish it altogether."[19] While some scholars have been eager to celebrate rangers and their emergence on the plains, others have identified the Texas Rangers as a key agent of terror, violence and racial subjugation.

Utley concedes that the historical record supports neither the celebrated Texas Ranger of Webb nor the one disparaged by a score of mostly Chicano scholars. "One searches the documents in vain for Webb's 'real Ranger,'" complains Utley. On the other hand, "primary sources fail to disclose the systematic misconduct of which the Rangers are accused." Utley is too quick to dismiss the challenges to the Texas Ranger legacy offered by "border Mexicans." Assuming their critique echoes their strong beliefs, Utley argues the negative views of "border Mexicans" depend too much on only a few recorded instances of ranger excess. These episodes, Utley insists, occurred primarily in the twentieth century. The harsher criticisms, Utley concludes, "do not reflect a pattern apparent in the nineteenth century."[20]

Historians have failed to fully note the contributions of *Mexicanos* and Indigenous peoples to frontier defense. In some cases, *Mexicanos* and Indigenous

[19] Utley, *Lone Star Justice*, pp. 287-294
[20] Ibid.

peoples served as rangers. Remarkably, Utley admits "an occasional Indian or Mexican turned up on the muster rolls, even on rare occasion entire units of Indians or Mexicans." Although acknowledging the "multiculturalism" of the rangers, Utley chooses to stress the uniqueness of the rangers, especially their cultural cohesiveness or homogeneity. "Nearly all citizen soldiers," he concludes, "were Anglo Texans who despised Indians and Mexicans."[21] Anglos were unique, having "a different concept of justice one hardly shared by their Indian and Mexican foes." In Utley's assessment ranger justice was only available to Anglos in general and Texans more specifically. "But it was justice as understood by the Anglo Texans," he insists, "who dominated the republic and then the state."[22] Unfortunately, Utley is unable to pursue the deeper significance of the presence of non-Anglos in the ranger rank and file, making his begrudging admission more than suspect.

The Texas Rangers as symbol of Anglo progress, icons of manifest destiny, fulfilled a "semantic purpose" similar to what Richard Flores has identified for the Alamo. Flores argues persuasively that the Alamo is a "master symbol" that constructs "historical and social differences between Anglos and Mexicans, leading one group to interpret its significance as one of patriotism and the other as domination." The Alamo is such an important symbol it performs "a

[21] Ibid., 288.
[22] Ibid., xi.

constitutive role in the formation of Anglo-Mexican relations." Ultimately, the Alamo performed "various semantic procedures of the dominant."[23]

Flores study of the symbolic production of the Alamo and its impact on social relations not only introduces "the role of the symbolic and its use in the production of meaning," but also identifies two critical dimensions of "symbolic analysis": "first, the need to rethink symbolic production through its historical content; and second, the need to reground analysis of symbolic productions through the conditions of their own making."[24] Unfortunately, Flores historical anthropology does not link his study to any type of material violence. In his emphasis on the discursive functions of the Alamo, Flores minimizes the pervasive and persistent role of episodes of violence in conjunction with symbolic productions.

### *Resistance and Mexicano agency*

Scholars initially pursuing a cultural tack turned away from research on large-scale rebellions and riots, downplaying overarching ideologies that privileged a singular emancipatory movement and a cohesive fully articulated class. The topic of resistance attracted renewed interest when a generation of British Cultural Marxists intervened in debates regarding rebellion to lend a certain dignity and deliberateness to the people responsible for collective action.

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[23] Richard Flores, *Remembering the Alamo: Memory, Modernity, & the Master Symbol* (Austin: University of Texas Press, 2002): 11-12.
[24] See note 7, Flores, *Remembering the Alamo*, p. 164.

E.P. Thompson, for instance, recognized a "moral economy," or guiding principle articulated in "riots." George Rudé identified the "faces in the crowd," acknowledging the motivations and deliberateness of the "mob." Eric Hobsbawm legitimized previously dismissed criminal activity by celebrating "social bandits" as important political agents.[25]

Expanding their investigative ken to include research on the daily acts of oppression, accommodation and struggle, a greater emphasis was placed on the resistant possibilities associated with claiming historically and politically contingent identities. Many researchers drew inspiration from the "new social movements," mobilizations that were not over determined by larger structural forces. Rather than privilege a singular revolt organized at the point of production, scholars began to explore opposition informed by issues of identity and social marginalization.[26] Equally disillusioned by the apparent delay of a definitive social transformation, later cadres of researchers prioritized "everyday" or less

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[25] E.P.Thompson, *The Making of the English Working Class* (New York: Vintage Books, 1966; E.P.Thompson, *Customs in Common, Studies in Traditional Popular Culture* (New York: The New Press, 1993); George Rudé, *The Crowd in History, A Study of Popular Disturbances in France and England, 1730-1848* (London: Lawrence and Wishart, 1981), Eric Hobsbawm, *Primitive Rebels, Studies in Archaic Forms of Social Movements in the 19th and 20th Centuries* (New York: W. W. Norton & Co., 1965); Eric Hobsbawm, *Bandits* (New York: Pantheon Books, 1981).

[26] The key works for new social movements rely primarily on the contributions of Alberto Melucci. Alberto Melucci, "The New Social Movements: A Theoretical Approach" *Social Science Information* 19:2 (1980): 199-226; Alberto Melucci, "Ten Hypotheses for the Analysis of New Movements" in Diana Pinto, ed., *Contemporary Italian Sociology* (Cambridge: Cambridge University Press, 1981): 173-194. For an excellent critique of the new social movements in the Latin American context, see the introduction in Sonia E. Alvarez, Evelina Dagnino, and Arturo Escobar, eds., *Cultures of Politics/Politics of Cultures: Re-Visioning Latin American Social Movements* (Boulder: Westview Press, 1998).

dramatic forms of resistance. James Scott, a leader in the field, introduced the political efficacy of "the weapons of the weak" into debates regarding resistance. He further elaborated his own concept by exposing the dialectic tension between the "hidden and public transcripts" of domination and resistance.[27]

Paredes successfully challenged the Texas Legend by analyzing the production and circulation of its cultural repertoire that only Anglos could claim; he also advanced a more profound statement on resistance, introducing innovative interdisciplinary scholarship on border conflict. Unlike work that only celebrated bold acts of defiance, Paredes' research documents the strategic cultural practices by ethnic Mexicans opposing Anglo dominance through corridos, jokes, and other folk practices. In many ways, Paredes anticipates James Scott's formulation of hidden and public transcripts.

However, despite the advances in more rigorous approaches to resistance, a number of scholars have recently raised a litany of cautionary notes, further complicating research on organized opposition. Making use of Clifford Geertz's notion of thick description, Sherry Ortner sounded an alarm regarding the complacency she claims pervades resistance studies. Ortner challenges current approaches to resistance calling for the introduction of an ethnographic stance in research strategies. "Resistance studies," Ortner explains, "are thin because they

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[27] James C. Scott, *Weapons of the Weak*: *Everyday Forms of Peasant Resistance* (New Haven: Yale University Press, 1985); James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven: Yale University Press, 1990).

are ethnographically thin: thin on internal politics of dominated groups, thin on cultural richness of these groups, thin on the subjectivity –the intentions, desires, fears, projects—of the actors engaged in these dramas."[28] The task of researchers who take resistance seriously "would, or should," Ortner concludes, "reveal the ambivalences and ambiguities of resistance itself."

This innovative approach to resistance increasingly relies on treating power as a more complex analytical category. Probably the most explicit effort to examine power has been Lila Abu-Lughod's admonition that scholars should exert more caution in representing resistance so as not to romanticize it, but rather to "use resistance as a diagnostic of power." Abu-lughod argues that in "the rich and sometimes contradictory details of resistance the complex workings of social power can be traced."[29] Ultimately, the analytical imperatives of a more nuanced approach to resistance advocated by Ortner, Abu-Lughod and others require recognition of the diversity and complexity of communities responding to oppression.

Abandoning the "definitional concept of class" altogether and insisting that "forms of social relations" are not fixed, fully constituted, nor should they be fetishized, John Holloway prefers to speak of social antagonism. Holloway offers

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[28] Sherry B. Ortner, "Resistance and the Problem of Ethnographic Refusal," *Comparative Study of Society and History* 37:1 (January 1995): 190.

[29] Lila Abu-Lughod, "The Romance of Resistance: Tracing Transformations of Power through Bedouin Women," *American Ethnologist* 17:1 (February 1990): 42.

dignity as an analytical concept that represents the "struggle against subordination." According to Holloway social antagonism is not a battle between two distinct groups in opposition. He argues class conflict is more productively understood as

> a conflict between creative social practice and its negation, or, in other words, between humanity and its negation, between the transcending of limits (creation) and the imposition of limits (definition). The conflict, in this interpretation, does not take place after subordination has been established, after the fetishised forms of social relations have been constituted: rather it is a conflict *about* the subordination of social practice, *about* the fetishisation of social relations. Class struggle does not take place within the constituted forms of capitalist social relations: rather the constitution of those forms is class struggle.[30]

Scholarly treatments of conflict in the US-Mexico Borderlands that have denied *Mexicanos* a "praxis of rebellion," suffer from the blind spot that afflicts peasant resistance in general, that is, these studies too often have relied on, according to Ranajit Guha, "an official point of view." Most often the struggles of *Mexicanos* and Indigenous peoples are subsumed into representations that portray rebellions as a natural phenomena, revealing a low state of sophistication and resulting from economic and political deprivation.[31] In this approach, what E. P. Thompson labeled the "spasmodic view of popular history," the interventions of "common people" are viewed not as purposeful events by thoughtful agents but as

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[30] John Holloway, "Dignity's Revolt," in John Holloway and Eloína Peláez, eds. *Zapatista! Reinventing Revolution in Mexico* (London: Pluto Press, 1998): 183-184.
[31] Guha, "The Prose of Counter-Insurgency," p. 364.

"simple responses to economic stimuli."[32] Similarly, Gerald Sider worries about the "hydraulic model of popular involvement in social change -press people down in one domain of their lives and they will pop up in another with even more force- but this perspective is primarily invoked to explain episodic upheavals, where the drama of events conceals the lifelessness of the model." The excessive attention to the drama of a violent event represents insurgents as incapable of participating in "the routine, but far more powerful and pervasive, transformation of their social world."[33]

Unfortunately, scholarly challenges to approaches that exulted Anglo achievement on the "frontier" have not fully transcended the brittle culture-conflict model that overwhelmingly defined previous works. Most approaches to conflict in the region rely on an inevitable clash between races as an analytical framework, leaving only alienation or accommodation as possible narratives. A view of resistance by *Mexicanos* and Indigenous peoples in a cultural framework limits opposition to banditry in direct response to Anglo dominance.

In an early effort to introduce the contribution of ethnic Mexicans to frontier settlement and to document "Chicano" resistance against Anglo domination, scholars uncritically portrayed defiant male heroes as "social

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[32] E. P. Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century," in *Customs in Common: Studies in Traditional Popular Culture* (New York: The New Press, 1993): 185.

[33] Gerald M. Sider, *Culture and Class in Anthropology and History, A Newfoundland Illustration* (Cambridge: Cambridge University Press, 1989): 4.

bandits," noble in comparison to excessively violent and oppressive Texas Rangers.

The overwhelming focus on overt acts of physical acts of resistance also meant that most scholars represented opposition against Anglo domination as the exclusive agency of men. Studies that emphasize the role of the border *caudillo* and the "social bandit" overshadow the participation of the larger community during moments of overt, sustained, and daily conflict. Men, both *Mexicano* and Anglo, constructed their identities through claims to honor. Richard Brown attributes conflict in the west to honor as a significant motivating force. "Aside from such beliefs as the ideology of vigilantism, the homestead ethic, the ethic of individual enterprise, and the incorporating and anti-incorporating attitudes that divided the West," Brown explains, "the key factor in regard to Western violence and Western values was Western honor." Western honor, in Brown's analytical schema, was motivated by the "social and legal doctrine of no duty to retreat." The "hip-pocket ethics" suggested by Brown betrays an ethnocentric vision of violence in the west, privileging the gunfighter and vigilantes, racially marking them as predominantly, if not exclusively, Anglo.[34]

The activities associated with frontier defense were not necessarily a heroic narrative of resistance executed only by men. Given the complexity of

[34] Richard M. Brown, "Western Violence: Structure, Values, Myth," *Western Historical Quaterly* 24:1 (February 1993): 14.

violence, women's roles as victims, survivors and witnesses were crucial to the operations of power and resistance in late nineteenth century Texas. Throughout women were active in the "brushfire wars" and "raids" not only as victims, as for example in the case of rape and captivity, but also as critical agents ensuring that the effects of war did not destroy the social fabric of the community.[35] The notion of "honor" obscures the domestic violence directed towards women –violence that maintained social hierarchy and reproduced patriarchical authority inside and outside of the household. There are no studies to date that document domestic violence as part of the larger conflict regarding frontier defense. Although gender reproduced through discourses of honor informed how men would behave in the public sphere, the daily interactions of survival in frontier institutions including the home remain understudied.

The "ambivalences and ambiguities" of *Mexicano* resistance was clearly demonstrated by the number of *Mexicanos* who could be either rangers or rebels. When *Mexicano* opposition to Anglo oppression was successful, as in the capture of the Texas Rangers by a *Mexicano* citizens' militia from the communities of San Elizario, Ysleta and Socorro, victories were often short lived and narrow in scope, seeking only minimum retribution and limited reversals against Anglo arrogance. The insurgencies between West and South Texas, although marked by

[35] A notable exception to this lacunae is Melody Graulich, "Violence Against Women: Power Dynamics in Literature of the Western Family," in Susan Armitage and Elizabeth Jameson, eds., *The Women's West* (Norman: University of Oklahoma Press, 1987): 111-126.

similar motivations and contexts exhibited notable differences, suggesting important regional distinctions as well.[36]

Paredes, as Limón has observed, in many ways anticipates the theoretical and methodological innovations associated with Cultural Studies that register resistance by highlighting the agency of audiences active in transforming cultural artifacts for purposes of articulating complex and strategic opposition. Similarly, one might also read Paredes' early work as documenting the hidden and public transcripts of domination and resistance presented by James Scott. *Mexicanos* successfully promulgated their history through a variety of methods and in a number of venues. The most notable of such cultural formations remains the *corrido* –a critical cultural practice performed in public spaces occupied primarily by the "border Mexican."[37] In the *corrido* Paredes found a rich archive that documented specific episodes of resistance against Anglo domination, including details regarding the cruel violence of summary executions, arbitrary persecutions, systemic discrimination and sexual assaults against *Mexicanos*. The border conflict *corrido* narrates and analyzes a history of oppression, giving voice

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[36] See Eric Van Young "Introduction: Are Regions Good to Think?" in Eric Van Young, ed., *Mexico's Regions: Comparative History and Development* (San Diego: Center for US-Mexican Studies, UCSD, 1992): 1-36. I am also relying on Florencia Mallon's discussion regarding the importance of a political history from below that accounts for regional distinctions. Florencia E. Mallon, *Peasant and Nation: The Making of Postcolonial Mexico and Peru* (Berkeley: University of California Press, 1995).

[37] Later scholars would build on Paredes project of cultural maintenance and recuperation. Ramon Salidvar, for example, argues that *Norteño* and *conjunto* music operate as street heuristics. See Ramon Saldivar, "Transnational Migrations and Border Identities: Immigration and Postmodern Culture," *South Atlantic Quarterly* 98: 1/2 (Winter/Spring, 1999): 217-230.

to collective resistance during particularly acute moments of oppression. This collective defiance could, at times, simply take the form of the shared experience of the performance of the border conflict *corrido* that celebrated noble victories against Texas Rangers.

Chicano researchers remain concerned with resistance. While not directly focusing on resistance, new studies do provide a decidedly more complex optic in analyzing domination and oppression, producing a rich body of research on identity and community formation.[38] Unfortunately, much of the recent scholarship privileges struggles in the twentieth century, often de-emphasizing overt acts of resistance.

Anglo violence organized into military or paramilitary actions or as punitive raids was understood as an acceptable response to threats posed by "savage" and "thieving" opponents who were beyond the constraints of civilization. Anglos consistently accused *Mexicanos* of raiding the US as bandits or assisting Indigenous peoples in their depredations against Anglo settlements. *Mexicanos* were also accused of conspiring with Indigenous peoples, further justifying Anglos arrogating for themselves the exclusive role of frontier defense.

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[38] A particularly noteworthy example of this gesture would be David Gutierrez, *Walls and Mirrors*. Gutierrez offers an incisive and provocative overview of immigration and its impact on an already existing and evolving ethnic Mexican community. A careful examination of immigration in Gutierrez's study reveals a complex and diverse ethnic Mexican community exhibiting a variety of strategies and responses to a constant flow of people across the border. In a similar fashion, I argue that careful analysis of violence refracts a diverse and complex ethnic Mexican community claiming their own dignity.

Anglo violence would be legitimized as organized defensive maneuvers or punitive raids, while *Mexicano* defensive or retaliatory efforts against Indigenous peoples were minimized and their collective resistance against Anglos criminalized.

One figure that early one raised the ire of Chicano scholars was "the bandit." It is in the context of land despoliations, political subordination, social control, and the dominance of markets in the period following the US-Mexico war that *Mexicanos* were criminalized as bandits.[39] Chicano scholars in the counter legend framework contested the conflation of *Mexicanos* as bandits, exposing the

[39] Despite its nineteenth century origins, the bandit code and image persist into the twentieth century. Its appearance as part of the Frito Lay company's advertising campaign sparked a campaign to eliminate its use. From 1968 through the early 1970s, Chicano activists mobilized to prevent the circulation of the "bandito" in various media, including print and television advertisements. From 1967 to 1971 fierce, organized opposition to the advertising campaign resulted in Frito Lay initially abandoning the advertising mascot. As Chon Noriega has astutely observed, prior to their victory the bandit succeeded in becoming a prolific and profitable image, attracting a large number of consumers. The Frito Bandito, as well as other similar images of Mexican bandits unshaven and draped with bandoliers, underscored not only the racial link with the bandit and *Mexicanos* but it domesticated the Mexican as a perceived social threat, putting him to good use to promote consumption. "What is interesting about the Frito Bandito," Noriega explains, "is that we are supposed to identify *with* him and even incorporate him into the normative domestic sphere." The Frito Bandito resonated with other images of Mexican revolutionaries such as Emiliano Zapata who by the mid 1960s, along with other bandit figures more generally, became commodified. "But," Noriega concludes, "rather than connote a radical political sensibility toward racial minorities and the Third World, the Frito Bandito encouraged viewers to co-opt these 'outside' threats to the American way of life by adopting their revolutionary and militant style through parodic consumption. In short, these threats were domesticated, rendered humorous, and consumed as a sign of surplus capital within the white middle-class home. Consumption was offered as counter insurgency." Although achieving a profound success in the reduction of the circulation of the bandit for commercial purposes, the bandit, and its conflation with ethnic Mexicans, persists in nostalgic images, especially of those associated with the period of the Mexican Revolution. It also resonates with the negative portrayals of ethnic Mexican youth as inextricably imbricated in the underworld of gang life. Chon A. Noriega, *Shot in America: Television, the State, and the Rise of Chicano Cinema* (Minneapolis: University of Minnesota Press, 2000): 39.

code of bandit as "raced."[40] The consolidation of banditry and the bandit into a racial code based on essential traits of ethnic Mexicans contributed significantly to naturalizing the violence between the Anglo and *Mexicano* as an inevitable clash between cultures. Aware of the ideological freight it carried, authors such as Alfredo Mirandé offer a straight forward justification: "The '*bandido* image' emerged as Chicanos responded to such injustices and to lawlessness on the part of the dominant society. If an Anglo took the law into his own hands, he was generally labeled a hero or a revolutionary, but a Chicano who engaged in lawlessness was somehow a bandit."[41]

Following the early effort to "deconstruct" the bandit code and limit its ideological impact, counter legend scholars made use of the social bandit as an explanatory device to unravel the tangled skein of Anglo-Mexican conflict.[42] As a

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[40] Film played a critical role in consolidating the image of the bandit as exclusively Mexican and as sinister and depraved. We have come to take for granted the celluloid cowboys, Indians and bandits who have filled movie screens from the early beginnings of the film industry's "horse operas" where "Mexicans became convenient villains." The images were, for the most part, as one-dimensional as they were persistent. Leading one scholar of early film to conclude: "Mexicans were 'greasers' and they were all bad." Such images continue to have a profound impact on our view of our past and justification of our present. Allen Woll dates the emergence of the cinematic bandit to the political turmoil of the Mexican Revolution. Although the bandit persisted in Hollywood, Latin American governments and Latino interest groups were able to minimize the widespread circulation of the bandit and its more negative characteristics associated with Mexico. Blaine P. Lamb, "The Convenient Villain: The Early Cinema Views the Mexican-American" *Journal of the West* 19:4 (October 1975): 76, 80; Allen Woll, "Hollywood Bandits, 1910-1981" in Richard Slatta, ed., *Bandidos: The Varieties of Latin American Banditry* (New York: Greenwood Press, 1982).

[41] Alfredo Mirandé, *Gringo Justice*, (Notre Dame: University of Notre Dame Press, 1987): 17.

[42] For a general review of the concept of social banditry see, Eric Hobsbawm, *Primitive Rebels, Studies in Archaic Forms of Social Movements in the 19th and 20th Centuries* (New York: W. W. Norton & Co., 1965); idem, *Bandits* (New York: Pantheon Books, 1981). For an overview of

result of early scholarly activism, many Chicano scholars were easily seduced by the category of social bandit in an early effort to more fully validate Chicano resistance.[43] Even New Western historians have been quick to rely on a version of social banditry in an effort to validate *Mexicano* agency.[44]

Robert Rosenbaum, an early example of this trend, made extensive use of Eric Hobsbawm's "primitive rebels" framework.[45] Rosenbaum argues *Mexicanos*, "employed violence as one means for retaining some measure of self-determination in the face of an increasingly oppressive new regime." *Mexicano* "self-preservation" included individual or collective efforts at physical survival, maintenance of a "traditional way of life," and adaptation to change. The overt responses to Anglo domination consisted of border warfare, social banditry, community upheavals, long-term skirmishing and coordinated rebellions.

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social banditry in the Latin American context, see Gilbert M. Joseph, "On the Trail of Latin American Bandits: A Reexamination of Peasant Resistance" *Latin American Research Review* 25 (1990): 7-53; Richard Slatta, ed., *Bandidos, The Varieties of Latin American Banditry* (Westport: Greenwood, 1987). For a specific critique of social banditry, see Anton Blok, "The Peasant and the Brigand: Social Banditry Reconsidered" *Comparative Studies in Society and History* 14 (September 1972): 494-503.

[43] Alfredo Mirandé, *Gringo Justice*, (Notre Dame: University of Notre Dame Press, 1987); Pedro Castillo and Albert Camarillo, eds., *Furia y Muerte: Los Bandidos Chicanos* (Los Angeles: Aztlán Publications, 1973).

[44] For a more complete discussion of social bandits in the American context, see Richard White, "Outlaw Gangs of the Middle Border: American Social Bandits" *Western Historical Quarterly* 12 (October 1983): 387-408; Richard White, *"It's Your Misfortune and None of My Own": A New History of the American West* (Norman: University of Oklahoma Press, 1991).

[45] Rosenbaum's study has often been associated with the collective historiographical intervention undertaken by Chicano scholars given its sympathetic treatment of *Mexicano* agency. Robert Rosenbaum, *Mexicano Resistance in the Southwest: "The Sacred Right of Self-Preservation* (Dallas: Southern Methodist University Press, 1998).

The *Mexicano* response to Anglo domination, in Rosenbaum's estimation, simply "extended their traditional lack of concern to the new authority." Operating in a peasant economy, *Mexicanos* were prone to an undeveloped sense of progress, nationalism and politics; as a result they demonstrated a strong identification with Mexico more generally, and their immediate surroundings or community more specifically. *Mexicano* resistance resulted from an "agrarian, self-sufficient people clustered in isolated communities doing battle with the visible manifestations of a huge nation which they could neither see nor conceive of." Unfortunately, Rosenbaum did not escape the culture-conflict model, concluding that the *Mexicano* encounter with Anglo progress could not be anything but "a history of the confrontation between cultures."[46]

The specific histories of individual "social bandits" are so varied that the relationship between the community and the social bandit is difficult to establish. The variety of cases in which the category is applied are so diverse the examples are of little use in constructing a narrative of resistance. "Social bandits" in Hobsbawm's model, are mostly pre-political, lacking ideological coherence and sophistication. Consequently, the phenomenon of social banditry in the region of the southwestern United States continue to operate as codes that are raced, almost exclusively representing *Mexicanos*, and only occasionally addressing *Mexicano* resistance.

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[46] Rosenbaum, *Mexicano Resistance,* pp. 5-7.

Overlooked in discussions of *Mexicano* resistance or frontier defense has been the critical role of the *ranchero*. Although Anglos recognized the *ranchero*, later scholars have chosen to ignore him despite his presence as defender and depredator. The *ranchero* first received national attention following the decisive defeats at Palo Alto and Resaca de la Palma in May 1846 as the US-Mexico War increasingly became a guerrilla conflict. The swift victories of US forces relegated the remaining encounters between Anglos and *Mexicanos* to irregular warfare. One scribe concluded "the '*Guerrilla*' system of old Spain is commenced in the new world. The only consolation we have is that at this kind of warfare the Texans are equally good with the Rancheros." The *ranchero* inspired fear and motivated harsh retaliation. When it was reported that four hundred *rancheros* rode into Matamoros in August 1846 "bent on mischief," the correspondent relaying the episode to an eager American audience assured his readers that if the *rancheros* made another appearance, as daring as the previous one, it would be "followed by the forcible expulsion of every 'ochre-colored face' if not of a war of extermination upon the deceitful thieving Rancheros."[47] Josiah Turner, a long time resident of Brownsville recalling his service in the Mexican war remembered coming face to face with the "mounted Mexican marauders called rancheros" in

[47] *Niles National Register* (September 12, 1846).

March of 1846.[48] According to Robert Johannsen, "guerrilla warfare was regarded as barbaric and uncivilized and orders were issued to deal with it harshly." The presence of the *ranchero* during the war prompted "outbursts of indiscriminate and bloody revenge."[49]

Many Anglos disparaged *rancheros* as vicious, thieving degenerates, they were not above their own martial excesses that resulted from the brutal reprisals directed at their enemies. Some military regulars lamented the unprovoked and improper conduct of the volunteer Texas forces directed against *Mexicanos*. On July 25, 1846 Ulysses Grant, then a young lieutenant, wrote:

> Since we have been in Matamoros a great many murders have been committed, and what is strange there seems to be every week means made use of to prevent frequent repetitions. Some of the volunteers and about all of the Texans seem to think it perfectly right to impose on the people of a conquered city to any extent, and even to murder them where the act can covered by dark. And how much they seem to enjoy such acts of violence too! I would not pretend to guess the number of murders that have been committed upon the persons of poor Mexicans and our soldiers, since we have been here, but the number would startle you.

Lieutenant George Mead linked his own criticism to his view of the nation's Indian wars when he remarked that the "[volunteers] act more like a body of hostile Indians than civilized Whites." General Taylor shared the attitudes of some of his younger officers. Throughout the campaign he expressed frustration

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[48] Carlos Larralde, "Josiah Turner, Juan Cortina and Carlos Esparza: Veterans of the Mexican War Along the Lower Rio Grande," *Mexican War Journal* 5:1 (Fall 1995): 5.

[49] Robert W. Johannsen, *To the Halls of Montezumas: The Mexican War in the American Imagination* (Oxford: Oxford University Press, 1985): 36.

with the poor discipline and criminal behavior of the volunteer forces. "Of the infantry," Taylor explained, "I have had little or no complaint; but the mounted men from Texas have scarcely made one expedition without [the] unwarrantable killing [of] a Mexican."[50]

*Rancheros* emerged from a long tradition of defending the frontier. "Through nearly three centuries of combat between indigenes and colonists," Ana María Alonso argues, "the Chihuahuan frontier of Mexico became a society organized for warfare, with specialists in violence, and a distinct discursive regime predicated upon a militarized construction of honor."[51] Earlier Spanish and later Mexican efforts to settle the Northern frontier meant constant conflict with Indigenous peoples. The autonomous and fiercely independent ethos that define the northern region produced a figure with unique qualities. "Among them," Miguel Leon-Portilla suggests, "was his great capacity for adaptation, his attitude of resistance to the threat of losing what he regarded as his, and an even stronger consciousness of his Mexicanism."[52] As much as the region was marked by "the social distribution of the means of force," it was also characterized by a

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[50] As quoted in Larralde, "Josiah Turner, Juan Cortina and Carlos Esparza," p. 6.

[51] Ana María Alonso, *Thread of Blood, Colonialism, Revolution, and Gender on Mexico's Northern Frontier* (Tucson: University of Arizona Press, 1995): 7.

[52] Miguel León-Portilla, "The *Norteño* Variety of Mexican Culture: An Ethnohistorical Approach," in Edward Spicer and Raymond Thompson, eds., *Plural Society in the Southwest* (New York: Interbook, Inc., 1972): 112.

long tradition of political autonomy as well.[53] Although Alonso's study documents the Serrano communities of the northern Mexican state of Chihuahua, the role of military defense performed by local citizen soldiers, and the gendered implications of their efforts, are equally applicable to the border communities of the Lower Rio Grande and far west Texas.

*Rancheros* fought Indians, confronted revolutionaries on both sides of the river, and struggled to keep their communities vibrant, populating the frontier as fierce fighting forces. Jane-Dale Lloyd describes the *ranchero* of Chihuahua in the following manner:

> Rancheros are rural farmers controlling both crops and livestock, small-scale landowners who engage in agricultural production for local, national, and even international markets. Although they adopt technological innovations whenever possible, they work and administer their own property primarily to increase family resources rather than to accumulate capital as such. And while rancheros rarely hire outside labor, they frequently recruit from among their poorer relatives. The ranchero, in other words, maximizes his productive capacity by maximizing human resources through such culturally accepted mechanisms as exercising parental authority and mobilizing close and binding ties established by religious customs such as baptisms, weddings, first communions, and compradrazgo. Rancheros are frequently carpenters or blacksmiths as well, as were their fathers and grandfathers before them; but they practice these trades only when they do not interfere with agricultural work. Rancheros can read, write, and do basic arithmetic. Culturally and socially the ranchero is immersed in a range of direct, face-to-face relationships with his extended family and the community, participating actively in the ceremonial life of his immediate neighbors and the community.[54]

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[53] Alonso, *Thread of Blood*, p. 26; 48.

[54] Jane-Dale Lloyd, "Rancheros and Rebellion: The Case of Northwestern Chihuahua, 1905-1909," in Daniel Nugent, ed., *Rural Revolt in Mexico: U.S. Intervention and the Domain of Subaltern Politics* (Durham: Duke University Press, 1998): 108-109.

Although Lloyd's research focuses on *rancheros* who played an important role in the mobilizations during the Mexican Revolution, the essential characteristics she notes are consistent with the *ranchero* who rides through the period of this study.

It was the *ranchero* who rode with the Texas Rangers, occupying key positions in early ranger companies. *Rancheros*, men who could supply the necessary accoutrements, including and most especially, the required number of horses to maintain an effective *caballada*, filled the *compañía volante*, *cortadas*, and citizen militias that defended the frontier and subdued Indigenous peoples.[55] The *ranchero*, in his own way, was the counterpart to the Texas Ranger. Throughout the period they filled the rank and file of minuteman companies including volunteer ranger units that mustered to protect the frontier. Indeed, on numerous occasions *rancheros* defended their communities from depredations by "bandits," incursions that might have been perpetrated by Indigenous peoples, Anglos, *Mexicanos*, or any combination of the three. In many instances *Mexicanos* were the first to fall victims to raiding parties.

Survival in sparsely inhabited regions required cooperation between the races, making frontier defense possible only through interdependence in which both *Mexicanos* and Indigenous allies were essential. The entire project of frontier settlement and defense required the consistent assistance of traditional, local

[55] Andrés Tijerina, *Tejanos & Texas Under the Mexican Flag, 1821-1836* (College Station: Texas A & M University Press, 1994): 79-92.

knowledge applied in the deliberate negotiation of the delicate ways of living in a treacherous and unfamiliar country. Yet despite Anglo dependence on already existing communities to advance the settler colonial project, people with prior claims to the region experienced a series of radical and violent displacements. In this context, *Mexicanos* struggled to claim the rights afforded to them as US citizens.

Ultimately, the *ranchero* exhibited an ambivalence in the course of the "three cornered conflict," on some occasions an enemy, at others a vital ally. In addition to military service and frontier defense, *rancheros* carried out a number of tasks related to settlement. *Mexicano* settlers were essential to the pacification and settlement of the frontier as farmers, *fleteros*, muleteers, and *vaqueros*. *Mexicanos* provided necessary labor for freighting operations, often serving as guides for countless expeditions. Moreover *Mexicano* freighters and laborers supplied local military installations, constructed as a result of the frantic and occasionally exaggerated pleas for military intervention by local officials and citizens.[56] In the US-Mexico Borderlands settler colonialism relied on, to a great extent, a system of military forts along the Indian and Mexican frontier that not only brought protection but also established an important market for local supplies. Although many line officers were suspicious of the desperate pleas by

[56] Qv., Darlis Miller, *Soldiers and Settlers: Military Supply in the Southwest, 1861-1885* (Albuquerque: University of New Mexico Press, 1989).

local citizens and civic leaders for military protection, forts injected substantial financial benefits to frontier communities in addition to providing protection.

*Rancheros* did not consistently or deliberately stand in opposition to Anglo domination as Americo Paredes remarked, "with his pistol in his hand." "Friendly Mexicans" assisted Anglo settlers against all varieties of raids. Anglos were often warned of impending danger by *Mexicano* neighbors and allies. The small population of Anglos in outlying areas already populated by *Mexicanos* could not have defended their homes, protected their communities and occasionally brought offenders to justice, without the aid of *rancheros* from both sides of the international boundary. Unfortunately, current research does not allow for a more complete explanation of what motivated the *ranchero* to occasionally oppose Anglos, nor does it enable an explanation of why "friendly Mexicans" undermined his opposition.

Despite their contributions, *Mexicanos* were often victims of Anglo violence, occasionally requiring the aid and protection of frontier troops. In addition to being victimized by Indigenous peoples and other *Mexicanos*, during the course of raids they suffered at the hands of enraged Anglos who meted out reprisals most often to innocent people who paid with their lives for the fortunes of their race and the accident of their being at the wrong place at the wrong time.

*Mexicanos'* role in protecting frontier settlements did not end with the extension of U.S. territorial jurisdiction into what was previously Mexican territory. Having long established strategies for responding to the incursions of a variety of Indigenous peoples, *Mexicanos* often responded without the aid of Anglo militia or US military. *Rancheros* once considered "specialists in violence" would be forced to concede that role and reputation to Anglos who alone became renowned for the legitimate exercise of violence. Although *rancheros* struggled to keep their communities vibrant, they could not lay claim to frontier honorifics increasingly appropriated by or attributed to the Texas Ranger. By making the *Mexicano* the enemy of the Texan, and by extension the "American," the *ranchero* could no longer lay claim to his own history as defender of the frontier.

# 2. A SANGUINE SPECIES OF BORDER WAR

Qui desiderat pacem, praeparet bellum.
Flavius Vegetius Renatus[1]

On February 7, 1850, Texas Governor Peter Bell conveyed a grave resolution from the Texas legislature to the US Congress of the United States. He informed Congress that Texas labored under the "multiplied aggressions, repeated in rapid succession" of Indigenous peoples under the watchful eye of the federal government. Bell requested a more aggressive posture by federal forces towards their recently acquired wards, demanding more material support for the state of Texas. Bell's appeal outlined in every respect the science of frontier defense, sketching out the inherent tensions between the policies of the federal government in relation to local interests and efforts. Texans, for the most part, expected to advance their settlements with little to no opposition, fully anticipating that Indigenous peoples would be removed (which in the extreme could mean extermination) or at least recede. "Nothing but an abiding disposition to respect the laws of the State and a wish to act in concert with the policy of the United States Government in respect to her Indians," Bell explained, "have restrained a regular and systematic organization with a view to the extermination, if possible,

[1] "Let the one who desires peace prepare for war," quoted in Raimon Pannikar, *Cultural Disarmament: The Way to Peace* (Louisville: Westminster John Knox Press, 1995): 23.

of the offending tribes." It was also understood that the federal government would provide the requisite troops, meeting all expenses for that purpose.[2]

In this chapter I briefly examine the complications surrounding "depredations." I first provide a short overview of the political context of cross border raiding followed by a cursory summary of approaches to attacks against Anglo settlements. The remainder of the chapter investigates case studies of "depredations." Each vignette of border conflict reveals the presence of *Mexicanos* in a variety of capacities, especially as victims and defenders. Surprisingly, Anglos were also present or played a part in the incursions that were consistently attributed to Indians. In juxtaposing these particular episodes of violence I suggest that the discursive boundaries that accepted Indigenous peoples as the exclusive authors of "depredations" were constructed in favor of Anglos, a frontier group as equally responsible for depredations as the others.

Initially, Texas state policy refused to provide any portion of land for the relocation and settlement of its indigenous inhabitants. This forced native peoples into reservations outside of Texas. Indian agents and military officers responsible for peace on the "frontier" decried Texas' policy of appropriating as much land as possible and allocating it to settlers. Secretary of War Conrad, a consistent critic of Texas' policy, lamented in 1852 that "it is understood that she acknowledges

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[2] Dorman H. Winfrey and James M. Day, eds., *The Indian Papers of Texas and the Southwest, 1825-1916*, vol. 3, (Austin: Pemberton Press, 1966): 114, 117.

no right of occupancy in the Indians within her border, but proceeds to lay off her territory into counties, and, as fast as it is needed, to sell it, without assigning any portion of it to them, or providing in any other mode for their support."[3]

Texas' ambitious settlement plan produced a great deal of conflict, forcing Governor George T. Wood to plea for a line of forts from the Red River to the Rio Grande. Aware of Wood's urgent request, on January 19, 1850 Secretary of War George Crawford dismissively reminded the Governor "that if Texas be not now properly protected as a State, as a republic she was more inadequately defended."[4]

However, it was not long before state and local leaders became convinced that the federal government was indifferent to their settlement and, more to the point, their security needs. What locals perceived as federal ambivalence inspired local leaders to look to volunteer forces of militia or minute men and, notably, ranger companies as solutions. Bell was explicit on this point:

> It is hoped that the General Government will promptly interpose by adopting a policy that will require the withdrawal of the Indians, or else establish a line of military posts at such intervals as will guarantee peace and security to our afflicted frontier. Skillful, energetic mounted troops, in sufficient numbers, can alone effect this object.

The struggle between national and local responsibility for frontier defense meant the federal government's fiscal responsibility in compensating the Texas state treasury for expenditures incurred in defending the Indian and Mexican frontiers.

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[3] U.S. House, *Report of the Secretary of War*, 32nd Cong. 2nd Sess., Ex. Doc. 1, p. 5.
[4] U.S. House, *Report of the Secretary of War*, 31st Cong. 2nd Sess., Ex. Doc. 1, p. 15.

Governor Bell and the legislature were adamant in their view that "the United States must secure her tranquility and provide for her defence [sic] –and if this principle be not true the relation is not properly understood."[5]

Although funding and properly supplying the necessary amount of troops to deal with hostile neighbors drove Texas' overriding security concern, the federal government's interests were necessarily much broader. The federal frontier defense policy that emerged immediately following the US-Mexico War remained changed little for most of the period. General Orders No. 13 issued in February 1849 by Brevet Major General William Worth outlined the federal position. According to Thomas Smith, "Worth instructed unit commanders to protect the lives and property of citizens, to prevent 'as far as practicable' Indians from the United States crossing to raid in Mexico, and finally to protect non-hostile Indians against violence and injustice." "The mission," Smith concludes, "outlined the basic operational task of army troops in Texas for the entire period of the Indian wars."[6] Amidst the major crisis of the Civil War, the goals and challenges of frontier defense remained the same both during and after the Civil War. As David Smith argues the "three major problems of frontier defense" persisted through the nation's crisis. "Their solutions for using regular troops and Rangers to combat the Indian and Mexican threats, for easing strained finances,

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[5] Winfrey and Day, *The Indian Papers of Texas and the Southwest,* p. 117-118.

[6] Thomas T. Smith, "U.S. Army Combat Operations in the Indian Wars of Texas, 1849-1881," *Southwestern Historical Quarterly* 99:4 (April 1996): 508.

and for answering the constant demand for protection of the frontier counties mirrored the situation that faced Texas leaders during the Civil War."[7]

Displaced from hunting grounds and any claims to the land, many Indigenous peoples successfully exploited the newly formed international border, pursuing a border war against Anglos and *Mexicanos* on both sides of the river. Unexamined in the presentation of Indian wars are the motivations for the border warfare of Indigenous nations. Few studies critically examine Indian warfare as part of a complicated response to both Anglo and Mexican expansion. Much of the literature treats this conflict as nothing more than the accumulation of Indian depredations with different degrees of intensity, a process that was as much a natural part of the region as the landscape. This approach cannot account for the critical role indigenous peoples played in assisting the ranger, militia and federal military units during specific campaigns.[8]

Bands depredated communities in Mexico and Texas resenting the encroachment of settlements. Periodical uprisings or attacks, which have been

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[7] David P. Smith, *Frontier Defense in the Civil War: Texas' Rangers and Rebels* (College Station: Texas A & M Press, 1992): 3.

[8] Robert Utley, "A Chained Dog: The Indian-Fighting Army, Military Strategy on the Western Frontier," *The American West* 10:4 (July 1973); Robert Wooster, "The Army and the Politics of Expansion: Texas and the Southwestern Borderlands, 1870-1886" *Southwestern Historical Quarterly* 93 (October 1989): 151-167; Thomas Smith, "US Army Combat Operations in the Indian Wars of Texas, 1849-1881" *Southwestern Historical Quarterly* 99: 4 (April 1996): 501-531; Robert M. Utley, *Frontiersman in Blue: The United State Army and the Indian, 1848-1865* (Lincoln: University of Nebraska Press, 1967); *Frontier Regular: The United States Army and the Indian, 1866-1891* (Bloomington: Indiana University Press, 1973); *The Indian Frontier of the American West, 1846-1890* (Albuquerque: University of New Mexico Press, 1984).

described above as guerrilla warfare, undermined settlements, disrupted communication and travel, forced expenditures of resources for protection, displaced settlers, and sustained an ambiance of fear. The mails, travel and transportation of goods, including livestock, were completely disrupted by the incursions of small Indigenous bands who crossed borders with impunity. The successful depredations of captives, livestock, merchandise as well as the disruption of mail and transportation lines created an international crisis that on occasion brought the US and Mexico to the brink of war.

Although control or elimination of Indigenous peoples and the protection of settler's property and their persons along the frontier may be readily accepted then, as now, as the fundamental goals of frontier defense, a number of other important elements within that equation remain unexamined. First, the project of frontier defense was not exclusive to the US or Texas but also occupied the Mexican government and local Mexican officials throughout the tier of northern states along the newly established international boundary. Mexico had inherited the policies and strategies of Spain and while able to claim some early successes following independence the young Republic struggled throughout with Indigenous resistance.

Some scholars bristle at the suggestion that the federal policy towards the nation's earliest inhabitants was just short of annihilation. In many ways, federal

authorities manifest an ambivalence reflected in the competing concerns of protecting settlers from Indigenous peoples and protecting the government's wards from settlers. In spite of the unique challenges of Indian warfare, the army's frontier deployment had a profound impact on its re-organization and professionalization. Indeed, the contradictory and conflicted Indian policy of the nation transformed the military into more of a constabulary force than into an army defending a nation. Unfortunately, the ambivalence of US federal policy and the challenges it posed to the frontier army is beyond the scope of this study.[9]

The period immediately following the US-Mexico War inaugurated a succession of difficulties for maintaining security from "depredations" for both governments. Each nation faced the complications Indigenous peoples posed crossing the border and taking advantage of lucrative markets. In some instances, raiding bands cooperated with one government while taking advantage of the other. Efforts to contain highly mobile bands relocated onto a reservation often proved ineffective. Those settlements located on the US side were easily lured to take advantage of vulnerable Mexican communities just across the border.[10]

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[9] Sherry L. Smith, *The View from Officer's Row: Army Perceptions of Western Indians* (Tucson: University of Arizona Press, 1990).

[10] James F. Rippy, *The United States and Mexico* (New York: Alfred A. Knopf, 1926); Carl Coke Rister, *The Southwestern Frontier, 1865-1881* (Cleveland: The Arthur H. Clark Company, 1928); Robert D. Gregg, *The Influence of Border Troubles on Relations Between the United States and Mexico, 1876-1910* (Baltimore: Johns Hopkins Press, 1937).

Immediately following the War of the American Intervention, the US was obligated by treaty to prevent the movement of hostile groups from the US across the border into Mexico. The failure by the US to comply with its commitment to share the burdens of frontier defense caused a great deal of consternation for Mexican officials. Luis de la Rosa, the Envoy Extraordinary and Minister Plenipotentiary of the Republic of Mexico to the United States, in 1850 expressed a typical concern. He wrote Secretary of State John M. Clayton regarding "the religious fulfillment of the obligations contracted by it towards Mexico in the said eleventh article of the treaty of peace, with the object of representing the inroads which may be made upon that nation by the wild Indigenous peoples now inhabiting the territories ceded to the United States." The US's ineffectual program of control, de la Rosa argued, resulted from a lack of funds and a meager force, making it difficult to adequately police the region. He emphasized that the atrocities committed by Indians threatened the "amity and commerce between the people of the frontiers of Mexico and of the United States which would be so advantageous to both republics." According to de la Rosa the government of Mexico desired "that a military force may be kept on the frontier, which it is well assured will not be employed in any other way than in repressing the wild Indians." [11]

[11] U.S. Senate, *A Translation of a Note from the Mexican Minister in Relation to the Wild Indians of the United States on the Frontier of Mexico*, 31st Cong. 1st Sess., Ex. Doc. 44, pp. 1-3.

Five months later, de la Rosa informed Secretary of State Daniel Webster "that it is daily becoming more indispensable that the government of the United States should adopt the promptest and most active measures in order to prevent, conformably to the provision of the 11th article of the treaty of Guadalupe Hidalgo, the incursions of the Indian savages of the United States upon the population of the Mexican frontier." De la Rosa believed that the incursions were likely, because it was the season "when the Indians make their annual incursions, and commit their acts of devastation and atrocity upon the frontier population of Mexico."[12]

De la Rosa's concerns regarding the frontier were not unfounded. Secretary of War C. M. Conrad admitted as early as November 1850 "that the present military establishment of the country is entirely inadequate to its wants." In his annual report to the President, Conrad requested funds for "increasing the army, and particularly of raising one or more regiments of mounted men." Conrad's request to the president was supported by the intelligence he received from officers in the field. Recognizing the consequences of an insufficient force in the region, Conrad held the government needed to explore "other means besides the terror of our arms." Not only concerned with the military solution necessary to effectively curb depredations, Conrad investigated what might be some of the causes for conflict. Conrad believed that Indians were surrounded on

[12] U.S. House, *Indians—Mexican Frontier*," 31st Cong. 2nd Sess., Ex. Doc. 4, pp. 1-2.

all sides by advancing settlements leading to the reduction of their hunting grounds which would necessarily "compel them to fall back on our weaker neighbors, whom, by the treaty of Guadalupe Hidalgo, we are bound to protect against their incursions."[13]

These insightful communications reveal that the Mexican government viewed the north as the meeting point between two frontiers, one Mexican and the other American. It also suggests that the Mexican government had no doubt that cooperation and trade could be pursued to the great benefit of both nations if the "Indian problem" could be successfully managed by the US fulfilling its treaty obligations. Although the United States and Mexico had successfully concluded the War of the American Intervention with the Treaty of Guadalupe Hidalgo hostility in the region lingered. Both de la Rosa and Clayton knew that in addition to the tension between the two nations, each would be faced with maintaining peace with the Indigenous nations along the Indian frontier.

Both governments, at different moments, accused the other of facilitating Indigenous peoples hostile activity against the other. In addition to pressuring the US government to fulfill its treaty obligations prior to the US Civil War, the Mexican government pointed to the illegal commerce as a result of the illicit markets for stolen animals and goods obtained from vulnerable Mexican

[13] U.S House, *Message to the President of the United States*, 31st Cong. 2nd Sess., Ex. Doc. 1, pp. 3-5.

settlements. American traders had supplied Indians with arms and other vital supplies, ultimately sustaining them, Mexican officials believed, so that they were more effective in terrorizing settlements throughout northern Mexico.

Colonel Emilio Langberg and the Inspector of Military Colonies, General Angel Trias, alerted Major J. Van Horne of the nefarious trading of stock and ammunition by Benjamin Leaton with both Apaches and Comanches. Van Horne was forced to conclude, "I think there is no doubt but that Leaton deals extensively in buying mules and horses stolen by the Indians from the Mexicans, and in trading them off." Of course, for Colonel Langberg the unscrupulous industry of Leaton justly deserved intervention by US officials given the obligations the one nation had to the other. Leaton "furnishes these Indians, who are at war with this country, with the means to carry out the war." Indeed, according to Van Horne, Leaton was not the only one who profited from illicit commerce with Indians. "The Torrys and others carry on the same traffic; and the Indians are extensively supplied by traders at Santa Fe, San Miguel, &c., with arms and ammunition, in exchange for animals, &c. Many of these traders rove about among the Indians, and live with them." The illicit trade reached such proportions, Major General George Brooke wrote to Governor Bell in January 1850 and concluded that "I have, at the same time, no doubt but that all the Indian

traders in Texas are more or less engaged in the nefarious, illegal, and injudicious traffic complained of in the case of Leaton."[14]

The erasure of *Mexicano* and Indigenous contribution in defending and sustaining settlements on both sides of the border as part of the equation of frontier defense underscores how it had become a racial project and a crucial vehicle of racial formation. Moreover what constituted a depredation was significant in determining what conflicts achieved the status of war. Throughout the period, military and political leaders defined a pattern for Mexican and Indian depredators. A depredation could begin with a small group, two to five. Anglo military and political leaders insisted, in most cases, that depredations originated from the Mexican side of the border, arriving at a designated rendezvous point on the other side. Once across, the band would gather to form a larger force sometimes as close to ten times their original number. Once gathered they proceeded to steal cattle or horses driving them back across the river. Once on the other side in the interior they sold the cattle to ready markets along the frontier. Mexican officials recognized that depredations could originate on their side of the border, but they also insisted that expeditions started from the US side as well.

US officials made a substantial effort to define what constituted a depredation. A legal definition of depredations was critical in the adjudications for indemnity pursued by the Court of Claims. Larry Skogen's important study of

[14] U.S. House, *Report of the Secretary of War*, 31st Cong. 2nd Sess., Ex. Doc. 1, p. 20.

claims against the federal government for Indian depredations suggests one definition. "A depredation, the judges decided, included any theft or destruction of property, committed with malicious intent and often attended by violence."[15] Legal definitions implied cultural values and attitudes. While Indigenous nations or bands might be responsible for a depredation, Anglo settlers were not linked with depredations except as victims. The codes "raids" and "depredations" were attributed primarily to Indians, as in "Indian raids" and "Indian depredations."

Raids or depredations were rarely if ever attributed to Anglos. Anglos organized punitive expeditions were rarely labeled as depredations even though in some cases attacks amounted to the destruction of property and malicious violence visited on innocents. Punitive expeditions and scouts operated with the legitimacy attributed to police actions or defensive military measures. Such claims could also evoke the legitimacy of a national or state project that evoked the sanctity of property, the security of political boundaries and a national interest of prosperity. On an international scale, the incursions into Mexico by paramilitary forces such as the Texas Rangers were on occasion labeled filibusters, but even filibusters suggested a specific kind of political legitimacy.

Anglo violence continued long after the US-Mexico War had ended. An example of Anglo impunity took place in January of 1850 when Charles Stillman

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[15] Larry C. Skogen, *Indian Depredation Claims, 1796-1920* (Norman: University of Oklahoma Press, 1996): 137.

and associates rode into the Palmito Ranch. Stillman had been robbed earlier and he and his men were determined to recover his stolen property and punish the culprits. Stillman "got together a force of Americans" from Brownsville and rounded up the entire population of the ranch, ordering them tied and whipped until they delivered the malefactors. Stillman's interrogation revealed that the guilty party was Juan Chapa Guerra and that he was at Ranchito. Once Stillman's men found the man they believed to be responsible for the theft, he informed them that they could "do what they pleased with him."[16]

It was not until after Chapa had been "whipped and then killed" at the hands of Stillman's associates that an investigation not only "disclosed the horrible proceedings of the murder" but also uncovered that Stillman and his men had incorrectly identified the accused victim. The confusion resulted from a lethal cultural barrier. The one guilty of the original theft was allegedly one Juan Chapa Garcia, not Juan Chapa Guerra. The outraged family of the wronged Juan Chapa Guerra sought legal remedy, but they could find no lawyers in Brownsville willing to challenge Stillman.[17]

Much later, the 1873 Mexican Committee of Investigation concluded that as a notable person of considerable resources Stillman "exercised a controlling influence in Brownsville," explaining, in part, why such a grave miscarriage of

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[16] *Reports of the Committee of Investigation, Sent in 1873 by the Mexican Government to the Frontier of Texas* (New York: Baker and Godwin Printers, 1875): 179.
[17] Ibid.

justice remained unpunished.[18] Stillman could boast of a great deal of influence in Brownsville as a result of a number of successful commercial ventures in the region. During the US-Mexican War Stillman supplied General Zachary Taylor's army with goods delivered from the Gulf of Mexico up the Rio Grande. Following the war, Stillman continued to profit. His success was due, to some extent, on the purchase of large tracts of disputed lands made available to him by Sabos Cavazos. In Texas courts, Anglos such as Stillman were able to take advantage of the diminished legal standing of the Spanish and Mexican legal apparatus adjudicating communally held lands. Stillman, for example, profited handsomely by establishing the Brownsville Town Company with the land he so easily acquired with Cavazos aid. After converting the property into lots, he easily disposed of most the tracts for a considerable profit. As a result of his early successes, Stillman developed "a trade and manufacturing nexus" throughout Northeastern Mexico and South Texas, dominating "large scale trade, finance, and landholding in the Rio Grande Valley." At one point, Stillman and associate Richard King hoped to further solidify their investments and holdings by supporting Jose Maria Carvajal's unsuccessful attempt to establish the Republic of the Sierra Madre.[19]

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[18] Ibid.

[19] John Mason Hart, *Empire and Revolution: The Americans in Mexico Since the Civil War* (Berkeley: University of California Press, 2002): 23-24. Later, as Mexican liberals struggled to rid themselves of the occupying French forces through a widespread guerrilla war, José María

John Hart adds that Stillman and other prominent Anglos such as Richard King established their commercial empires through their effective use of paramilitary force. "From the 1850s to the mid 1870s," John Hart explains, "their controversial claims to these properties were backed up by the Texas Rangers, the U.S. Army, and their own private armies. For years their militias fought the Mexicans who confiscated cattle and burned ranches in retaliation for their displacement. The titles were still in dispute in Texas courtrooms at the end of the twentieth century."[20]

*Mexicanos* were also linked semantically to criminal activity. The code "bandits" was applied almost exclusively to *Mexicanos*, referring mostly to illicit cross border activity. Officials often revealed their cultural bias against *Mexicanos* by suggesting they were no more than sedentary Indians. In addition, the common sense attitudes regarding Mexican officials assumed that they avariciously colluded with Indians and bandits by providing safe refuge, access to markets, and sabotaging legal procedures to extradite or otherwise prosecute known offenders. In most cases, this claim was based on the additional common sense that *Mexicanos* and Indigenous peoples lived and worked closely together.

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Carbajal, as governor of the state of Tamaulipas, used his influence with men like Charles Stillman to raise funds to purchase arms. However, much of Carbajal's fund raising efforts were marred by excessively generous terms for bonds and land. See, Hart, *Empire and Revolution*, pp. 11-12.

[20] Ibid.

The coupling of Indian to depredation or raid and Mexican to bandit, is crucial in establishing the discursive strategies that criminalized non-Anglo groups. Luigi Bonante has identified similar associations with terrorism. The association of a term such as terrorism, according to Bonante, "is more the result of a verdict than the establishing of a fact; the formulating of a social judgment rather than a description of a set of phenomenon." The purpose here is to expose the manner in which the semantics of depredations, raids, and banditry are discursively organized. The criminal activity semantically associated in such a manner must, Edward Said warns, "be considered as other historical and social phenomena are considered, as something created by human beings in the world of human history." Challenging the "concatenation of assumptions" that link "terrorism" with Arabs and Islam, Said points to the "techniques of decontextualization and dehistorization" that have operated in colonial and post-colonial contexts. Indigenous peoples within the US have similarly suffered from the process of classification "that quite ignored historical specificity, proportion or concrete analysis."[21]

Unfortunately, the literature on Indian Wars never surpasses very basic descriptions of Indigenous peoples. "In this clash of cultures," Smith explains,

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[21] As quoted in Philip Elliott, Graham Murdock, and Philip Schlesinger, "'Terrorism' and the State: A Case Study of the Discourses of Television," in Richard Collins, et. al. *Media, Culture, and Society: A Critical Reader* (London: Sage, 1986): 265, 284. Edward Said, "Identity, Negation and Violence," *New Left Review* 171 (September/October 1998): 47-48.

"Anglos in the West tended to regard Indian society as homogenous and monolithic." Anglos expected Indigenous populations to posses "a policy making hierarchy like republican white culture."[22] Especially revealing of the cultural bias regarding Indigenous social organization was the narrow view of Indigenous society and the disparaging approach to the Indian warrior. One example suffices to illustrate the point: "Since an Indian man had no honorable profession except that of a warrior, and a great many horses could buy a fine wife, the nearness of a rich and oftentimes vulnerable enemy encouraged raiding."[23] The limited ethnographic claims support a representation as only predatory. Authors have been content to describe Indian styles of warfare, by celebrating their horsemanship and conceding a limited notion of honor peculiar to a warrior culture. Indeed, indigenous social organization is presented in such a manner as to highlight their mobility, reliance on the horse, aversion to sedentary lifestyles. These crude sorts of ethnographies simply represented Indigenous peoples as inveterate thieves or mindless warriors.

By January 1858, Robert S. Neighbors, Supervising Agent for Texas Indians, complained that the most recent depredations were explained by "the fact that the government has entirely failed in making suitable provisions for those bands of Indians and placing them under proper control, when the Indians

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[22] T. Smith, "U.S. Army Combat Operations in the Indian Wars of Texas," p. 513.
[23] Allen Lee Hamilton, *Sentinel of the Southern Plains: Fort Richardson and the Northwest Texas Frontier, 1866-1878* (Fort Worth: Texas Christian University Press, 1988): 18.

themselves have repeatedly agreed to the measure, than to any failure on the part of the Indian agents of Texas or the military authorities to perform faithfully the duties intrusted [sic] to them." The continued inattention, and more importantly, the lack of sufficient funds, Neighbors argued, would lead to the

> continual censure by the citizens of the State, the friendly Indians on the reserves brought into jeopardy, and unless measures are adopted at at [sic] early date to relieve our frontier from the forays of the depradating bands it will be impossible to prevent the people of Texas from making an indiscriminate war upon the Indians, that will endanger the peace of our whole frontier.[24]

The failure of a nascent reservation policy meant settlements were vulnerable and forced, on some occasions, to attend to their own protection. Neighbors painted a picture of state indifference and resources totally insufficient to its needs. However, Texas received a greater proportion of military resources, including the number of personnel stationed in the West. In fact, Texas boasted having over one half of the personnel deployed for frontier protection within its state boundaries.[25]

The problem of associating depredations exclusively with Indians could have legal repercussions for settlers who sought financial compensation from the government for their losses. Fanny Harris' depredation claim, for example, was

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[24] U.S. House, *Protection of the Frontier of Texas*, 35th Cong. 2nd Sess., Ex. Doc. 27, p. 11.

[25] U.S. House, *Message to the President of the United States*, 31st Cong. 2nd Sess., Ex. Doc. 1, p. 3. See also, George Klos, "'Out People Could Not Distinguish One Tribe From Another': The 1859 Expulsion of the Reserve Indians from Texas," *Southwestern Historical Quarterly* 97:4 (April 1994): 599-619.

disallowed because *Mexicanos* participated in the depredation. Harris claimed that in May 1866 she lost seven horses. A year later in March 1867 she complained of losing four more. In February 1870 she lost another three horses. The following year she sustained the largest loss of seventeen horses. In testimony filed before the Robb Commission, Harris stated, "since moving to the Pendencia ranch I have lost 4 horses. I succeeded in getting back from Mexico 1 horse. I have heard of cattle bearing my brand in Mexico. Some were recovered there and sold." Ultimately, Harris proclaimed that over the entire period of her troubles she lost 1,250 cattle and 11 horses. Assistant Attorney-General John Thompson asserted that claims filed by Fanny Harris, and the related cases of Juan Saminago and Theodore Terry, "were committed by Mexicans or Mexicans and Indians from the Republic of Mexico, for which no recovery can be had under the Indian depredation act of March 3, 1891." Thompson recommended that the petitions of Fanny Harris, Juan Saminago, and Theodore Terry be dismissed given "that there can be but one deduction drawn from these facts, and that is that all depredations committed in Maverick, Dimmit, and other border counties of Texas prior to the year 1873 (and possibly subsequent to that date), were committed by Mexicans, or Mexicans and Indians, from Mexico."[26]

[26] Fanny A. Harris, Juan Saminago, Theodore Terry v. The United States and Comanche Indians, in the Court of Claims of the United States, Indian Depredations; case folder 7615; Records of the U.S. Court of Claims, Record Group 123; National Archives and Records Administration, Washington D.C. Hereafter cited as "Indian Depredations, U.S. Court of Claims."

### *Martin Amador And The Risks Of Mexican Freighters*

Much of the success of merchants and freighters depended on their ability to secure government contracts supplying local military posts. *Mexicanos* involved in transport and trade, although initially dominant in the field, lost ground to Anglos and other foreign merchants, especially after the 1860s. As merchant opportunities were increasingly closed off to *Mexicanos*, many took up less lucrative commercial opportunities by cutting and hauling hay and other perishable supplies for local military installations.[27] The persistent threat of depredations could create substantial, if not debilitating, financial risks. While border war usually made commercial success much more precarious, it could also create profitable opportunities.

The business career of Martin Amador illustrates the risks and potential profits for *Mexicano* merchants and freighters. Amador initially subcontracted for John Lemon "cutting and hauling hay" for the troops under the command of General West at Las Cruces.[28] In 1870 Lemon lived in Dona Ana and by the age

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[27] Darlis Miller, *Soldiers and Settlers: Military Supply in the Southwest, 1861-1885* (Albuquerque: University of New Mexico Press, 1989).

[28] "Martin Amador;" case folder 8450; "Indian Depredations, U.S. Court of Claims." On April 29th, 1898 Manuel Flores, Notary Public for the county of El Paso, took the deposition of Martin Amador in the matter before the US Court of Claims of the regarding two Indian depredations on October 25, 1863 and January 22, 1864. In addition to the testimony provided by Amador, Julio Mayo, who worked for Amador as a teamster, was also deposed. Later, on May 14th, 1898 Pedro Melenudo and on June 18th, 1898 Clemente Montoya, men also employed by Amador, testified on Amador's behalf. Amador's petition, #8450, was part of an Indian depredation claim. Claims were systematically investigated following the reorganization and codification of rules and regulations in 1872 and the reorganization of indemnity for Indian "depredations" as a result of the Indian

of thirty-eight boasted of $40,000 in personal assets, succeeding as a dry goods merchant, wholesaler, and retailer. By comparison, at thirty-three, Amador claimed only $14,000 in personal assets the same year. While Amador appears to be less successful at the time, both men were important parts of a network of freighters and merchants who profited from the Santa Fe and Chihuahua trade and linked the region to expanding markets.[29]

Amador sued the federal government hoping to receive compensation for two depredations in 1864. The first depredation took place on October 25th 1864, about twenty-five miles east of Las Cruces at the foot of the Oregon Mountains. In the early morning darkness, a group of Mescalero Apaches stole a bell mare, nine American mules, and a yoke of oxen from the camp of Amador's freighting outfit. Mescaleros had surrounded the camp, waiting under cover of darkness in nearby mesquite bushes. Although designated herders were on watch, they failed to awaken the others in camp until it was too late. The Mescalero intruders had quietly lead the bell mare away with the mules in tow. "We as teamsters," Mayo explained, "took care of the stock all the time, but as the Indians were such scoundrels they took it in front of our very nose." Once alerted, Amador and his

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Appropriation Act, March 1885. Later, an act of Congress in March 1891 shifted the jurisdiction of cases to the US Court of Claims, In order for claimants to prove indemnity, they were required to verify the value of the property, the amount taken or destroyed and that it "was being properly guarded and cared for, and that the loss thereof was not occasional by the negligence or carelessness of himself [claimant] or employees." Investigations of claims in the field began in 1889.

[29] Susan Calafante Boyle, *Los Capitalistas, Hispano Merchants and the Santa Fe Trade* (Albuquerque: University of New Mexico Press, 1997): 154, 161.

men followed the raiding party towards the Sacramento Mountains, chasing the band for close to ten miles.[30]

On a second occasion, Mescaleros attacked a work party of over forty men in the afternoon of January 22nd, 1864. "I had," Amador recalled, "a big fight with the Mescalero Apache Indians while they were trying to carry away my property, and they killed three of my men." Amador's crew had been cutting grama hay when they were caught off guard by a Mescalero attack. During the assault, the Mescaleros destroyed or stole all the camp provisions, including flour, rice, beans, bacon, sugar and blankets. Despite the risk to their own lives, Amador and some of his men chased the raiding party. Overwhelmed by the invasion, Amador was not beyond asking for assistance from the army. Amador had pleaded to General West for protection for his workforce. "He said," Amador later recalled, "he did not have troops enough to protect himself."[31]

The Apaches were consistent and effective raiders remembered one of Amador's men. "They did not have to be provoked," Clemente Montoya, who was in Amador's employ at the time and later testified on his behalf, remarked "they were around stealing from everybody." "They used to come and steal horses and cows and oxen and everything right out of the corrals," explained Montoya.

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[30] "Amador;" "Indian Depredations, U.S. Court of Claims."
[31] Ibid.

"The Indians," he concluded, "were the only thieves in this country at that time; Mexicans and Americans did not steal then; the Indians had a monopoly."[32]

Despite the losses he suffered at the hands of Mescaleros, Amador continued to succeed in his business affairs. In the 1870s he successfully expanded his freighting operation from local subcontracting to a more substantial enterprise, covering points from Santa Fe, Chihuahua, Silver City and Bayard. Making Las Cruces the center of his operations, he established a livery stable and a hotel, both of which were originally developed to serve freighters that traveled through Las Cruces and Mesilla. Later, when freighting as an industry underwent a dramatic transformation as a result of the arrival of the railroad, Amador invested in a hotel that eventually became the center of social and cultural life. Amador translated his business success into political victories as well. He served the region as a Deputy United States Marshall and a Probate Judge. As a result of his economic and political success Amador and his family played a prominent role in the social and cultural life of the region, maintaining important liaisons with prominent families in both Mexico and the Southwest.[33]

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[32] Ibid.

[33] Amador also succeeded as an inventor of agricultural tools. His daughter Emilia attended the Columbian Exposition in Chicago in 1893 in the hope that she might secure the patent for the Amador Combination Plow. Not far from the very hall that Frederick Jackson Turner delivered his seminal address on the American Frontier, Martin Amador's daughter represented her father's contribution to the settling of the West. Sandra L. Stephens, "The Women of the Amador Family, 1860-1940," in Joan Jensen and Darlis Miller, eds., *New Mexico Women: Intercultural Perspectives* (Albuquerque: University of New Mexico Press, 1986): 259; 260; 263.

In spite of Amador's many successes, the men who had once worked for him came to resent him. A great social distance had developed between them. The men once in his employ had occasion to testify on behalf of their old employer regarding the claims against the government for depredations. In his testimony, Montoya revealed the social chasm that had grown between the men. When asked if Amador used "the ordinary prudence and care in protecting his stock" that would be expected of any man at that time, Montoya responded curiously. "He used to be a very good man," Montoya replied, "he is not so good now because he is Americanized." Montoya added, "I don't like Americans." Amador "took the oath of allegiance to the United States" in the Doña Ana plaza when the American forces gathered residents in 1846. Since that time, Amador, as did so many others who took similar oaths, considered himself a citizen. Despite Amador's assertions of his citizenship, he took naturalization papers sometime in the 1860s. "Because," he later claimed, "it was considered to more secure by having papers."[34]

***The Country Between Tularosa And El Paso Was Treacherous***

Freighters from the El Paso valley had grown accustomed to responding to attacks by local Indigenous bands without waiting for the organized efforts of a ranger company or federal military force to support them. One example of the immediate collective responses to the hardships endured by West Texas settlers

[34] "Amador;" "Indian Depredations, U.S. Court of Claims."

and freighters was the depredation visited on Ward Blanchard. As the Blanchard case illustrates the burdens of frontier defense were shared by all frontier denizens. Blanchard, a successful freighter from Ysletea, had in his employ Inez Sais, Perfecto Mendoza, Sebastian Herrera, Gregorio Carrer, Jose Provencio and other local residents as teamsters. Benito Ojas and Jose Maria Montoya served as mule herders while Rosendo Corlew assisted the wagon master. John Butler lead the men and the freight train which delivered lumber to El Paso on six wagons with sixty-five mules.[35]

All agreed that the country between Tularosa and El Paso was treacherous. Many local freighters, such as Ysleta resident Jose Maria Gonzales, often refused contracts in the region fearing attack from nearby Indians. Men knowledgeable about freighting believed the threat of attack made it unsafe for a train of less than ten men and six wagons. The country was not only treacherous but the few available watering holes made a freighting outfit especially vulnerable to attack. Sais and Butler later testified that the country between Tularosa and El Paso was "rough, mountainous and uninhabited," with only three places for water.

On May 12, 1872 Blanchard's outfit left Ysleta for Tularosa arriving eight days later. They remained at the Tularosa Mill for two more days before returning to Ysleta loaded with valuable lumber. On the night of the 25th of May, Ojas, the

[35] The following discussion of Ward Blanchard relies on "Ward Blanchard;" case folder 377; "Indian Depredations, U.S. Court of Claims.".

chief herder, discovered raiders attempting to separate some of the mules. Ojas fired at them, waking the entire camp and forcing the intruders to flee. Again, on the morning of the 28th, Ojas and Montoya notified Butler that Indians "were lurking in the vicinity of the train and watching its movements." Due to the scarcity of water, the difficulty of the remaining road and the threat posed by the vigilant Indians, the train left the trail and camped near Soledad Springs. The party was reluctant to go on since the road ahead had a number of *arroyos*, making them vulnerable to an ambush. Once they camped that evening they took "unusual precautions," posting two squads of guards of three men each, with relief shifts scheduled for 11 p.m. and 2 a.m, to watch over the mules.

Sometime during the changing of the guard, without much difficulty, Mescaleros stole twenty-five of the party's best mules. Butler believed that "the best mules" were taken so easily since they were so accessible. According to Butler, the best ones "wander more in order to get the best grass and picking." The missing mules were not discovered until 3 a.m. when the entire camp was awakened by the alarm. Butler immediately sent one man to notify Blanchard and assembled four others, including Sais, Ojas, Herrera and Mendoza to pursue the fleeing Mescaleros. The hastily organized scout picked up the "fresh and easily followed" trail of footprints, dung, and bloody sticks. At San Augustine Springs ten soldiers joined the party. The combined force tracked the thieves through the

San Augustine, San Nícolas, and San Andreas mountains until the trail ended at the White Mountains. The scout returned to the camp on the evening of the 29th, once it appeared hopeless and their animals began to give out.

When word arrived in Ysleta that Blanchard's train had been attacked and mules stolen, a number of local residents responded without hesitation. Demitrio Barela gathered eight of his own mules and an equal number of armed men as a volunteer company began to take shape. Blanchard, who had himself just returned to Ysleta, assembled more men and hired another eight mules from Jose Maria Gonzales. The hastily organized party left on the evening of the 29th and "traveled all night as fast as the animals would go. The next day Blanchard, Alderete and two Indians from Ysleta, traveled towards Fort Stanton and the Mescalero Reservation, "believing that said Indians belonged to that reservation." They trailed their attackers to the White Mountains near the Mescalero Apache Indian Reservation where they discovered one of Blanchard's mules dead on the trail.

Barela who was left in charge of the base camp at Soledad Springs was forced to deal with a band of Mescaleros who harassed him and his men. Despite a heavy rain, they crowded the encamped train, occasionally moving nearer Barela's camp until, with each successive step, they came within two hundred yards. They were so close to Barela's camp there was little doubt the enemy was able to gauge the strength of the remnants of the freighting party. Alarmed by the

Mescaleros provocative actions and suspecting that the scouting party had meant a terrible fate, Barela sent an expressman to El Paso. Later Barela discovered that the messenger had himself become lost, arriving at El Paso on the same day Barela and the rest of the freighting outfit returned. The presence of the vigilant Mescaleros prevented the watering of the remaining mules and the sixteen additional animals Blanchard had brought with him, forcing a special trip to San Augustine Springs to water the stock. Exhausted from the delay, on June 2 the train began the return trip to El Paso, arriving late in the evening of the next day.

Blanchard suffered financially as a result of the depredation. The market for "train mules," usually purchased from Mexico or San Antonio, was poor, making it difficult to procure additional wagons or men in order to secure freighting contracts. Unable to freight during the months of June, July and August Blanchard lost his competitive advantage. Butler estimated that Blanchard had "the principal freighting business, particularly for long distance, in the El Paso valley," but was severely hurt by the loss suffered in May. Barela concurred, believing that Blanchard "had to a great extent the control of the freighting business in the El Paso valley on the American side." Alderete, who had once been Blanchard's wagon master and claimed to be very familiar with Blanchard's freighting outfit, estimating Blanchard's outfit at six large wagons pulled by ten mules each. He also had two smaller wagons driven by four mules for provisions

and "camp outfit." Sais assessed Blanchard's twenty-two mules at $150 each amounting to a total of $3,300.

Unable to maintain a full train Blanchard joined his four wagons to the freighting operation of Gonzales and to another owned by Mauricio Barela, combining their efforts to freight to Fort Davis and Fort Stockton. Despite Blanchard's setback, Sais continued to work for him during September, October, and November hauling flour to Forts Davis and Stanton, a trip that usually took twenty-for days.

### *The Nueces Town Raid*

The aftermath of the US Civil War brought renewed conflict to the border region. In discussing the period, most historians have relied on a readily accepted narrative of Mexican depravity and, more importantly, political immaturity. The result has been the articulation of a number of interdependent themes including Mexico's predisposition for "revolutions;" covetousness of US wealth, especially in cattle; the Mexican side of the border dotted with centers for smuggling; and the omnipresence of military chieftains in the habit of extorting funds from honest businessmen, especially successful Americans. "The post-Civil War period in South Texas," explains William Hager, "witnessed a virtual reign of terror in outlawry and brigandage." The following summary by Hager shares many of the assumptions held by most historians of the region:

> Cattle thieves infested every range between the Nueces River and the Río Grande. These ranges were raided so frequently by 1875 a lucrative trade in stolen cattle and horses had developed on the Mexican side of the river. Not only did raiders herd cattle over the border on the hoof; they also engaged in the brutal if less profitable business of stripping the carcasses and hauling only the hides to markets across the border. From this enterprise in hide skinning, or 'hide-peeling' as it was called, it was only a step further to the looting and burning of ranch homes, and even the murdering of occupants. Along the roads, travelers suffered a similar fate. The whole country as far north as the Nueces was being pillaged and terrorized.[36]

*Mexicano* complicity in the system of theft was also a major issue. "Many Mexican-Americans," argues Hager, "either worked in collusion with raiders from across the border, or were so intimidated by them that they remained silent even when having knowledge of their whereabouts and activities."[37]

> The entrepreneurial landowners of southern Texas promoted trade with Mexico, the exploitation of its minerals, and even the occupation of its lands. At the same time, these new American elites demanded the Mexican government's protection from the raids. The violence at the border, coupled with Lerdo's hostile attitude toward their troubles, frustrated their plans for the development and expansion of mining and ranching ventures in northeastern Mexico. The oncoming railroads would provide access to Mexican 'treasures' and increase American control in the area.[38]

John Hart offers a decidedly different perspective from interpretations that stress Mexican underdevelopment and lawlessness. The regime of Mexican President Sebastian Lerdo de Tejada, according to Hart, faced opposition from

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[36] William M. Hager, "The Nuecestown Raid of 1875: A Border Incident," *Arizona and the West* 1: 3 (Autumn, 1959): 258-9.
[37] Ibid.
[38] John Mason Hart, *Empire and Revolution: The Americans in Mexico Since the Civil War* (Berkeley: University of California Press, 2002): 54.

ambitious Americans eager to pursue ranch, mineral and railroad investments in Mexico. Substantial Anglo ranchers and merchants in the Lower Rio Grande valley perceived Lerdo as an obstacle to their more ambitious schemes. Hart argues that,

> in the aftermath of the war between the United States and Mexico they [Anglos] had acquired private and public properties that enabled the creation of vast landholding on Mexican soil. The Mexicans violently contested American ownership of their despoiled lands, and they fought back with cattle raids and banditry. The attacks by aggrieved Mexican nationals against the Rio Grande Valley landholders had abated during Mexico's war with its French invaders, but in the late 1860s the fighting renewed, and it continued during the early 1870s. General Juan Cortina, an officer honored by the Mexican government for battlefield heroism, a former governor of Tamaulipas, and mayor of Matamoros, led the efforts.[39]

One notable episode of border violence during this period that exposes the complexity of violence in the region occurred just twelve miles outside of Corpus Christi. Brigadier General C. C. Augur proclaimed it "the most serious raid made by Mexicans into our territory for many years." Governor Richard Coke informed the President "a large party of these robbers [foreign desperadoes] penetrated the interior as far as within eighteen miles of Corpus Christi, robbing stores and ranches, and murdering and capturing citizens, and capturing and destroying United States mails." Coke appealed to President U. S. Grant "to give security to the people on the Rio Grande border, in view of the assurance I now give you that

[39] Ibid.

an extreme necessity exists for it."[40] On Friday, March 26, 1875 close to thirty armed *Mexicanos* accompanied by three Americans, all well armed, descended on the home of S. H. Page just seven miles outside of Nueces town. After robbing and imprisoning Page and his two sons, the band plundered the home of John C. McCampbell. On the road, moving from ranch to ranch, they hijacked travelers, robbing them and holding them prisoners. Soon afterwards the raiders gathered at the store of Fred Frank located on the ranch of Juan Saen only three miles outside of town. Elojio Garza, a servant of the Franks for twenty years, confronted the marauders. Garza refused to reveal the whereabouts of Frank. Garza allegedly recognized one of the thieves, forcing the rogque to quickly dispatch Garza.[41]

The raiders released the female prisoners and drove the male captives before them. They arrived at Nueces town and descended on the store of Thomas Noakes sometime around dusk. Noakes wounded one of the intruders and quickly hid to save himself, leaving his wife to confront the brigands. She made every effort to extinguish the flames that leapt around her, valiantly struggling to protect her home and property. The marauders fled as soon as a posse led by Nuecestown Sherriff John McClane made its approach. The McClane posse captured the one raider who was shot by Noakes and left behind by his companions.

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[40] U.S. House, *Report and Accompanying Documents of the Committee on Foreign Affairs on the Relations of the United States with Mexico*, 45th Cong. 2nd Sess., Report 701, Appendix B "Mexican Border Troubles," pp. 117-120.

[41] Hager notes that different versions have Garza being hanged.

The response to the raid was swift and full of wrath. "The outrages of the Mexicans" explains Hager, "were small in comparison with the deeds of Texans in the next few months."[42] The man, most likely wounded by Noakes and taken prisoner, was hanged just days after the raid. Volunteers were organized into "minute companies" in a number of neighboring counties. These organized bands "proceeded to outdo by far the brutality of the Mexican raiders." According to Hager the minute companies hunted down "known outlaws," but also targeted "innocent and peaceful Mexican-American ranchers and merchants," burning and looting their property.[43] Ignoring the violence meted out by the "minute companies," prominent citizens, military officers, and public servants believed that the lower Rio Grande border region was in a state of war marked by the bold and organized attacks of Mexican freebooters and further up the Rio Grande by the depredations of Indians who either in collusion with Mexicans or simply by their own depravity took advantage of the refuge provided by the boundary.

In the immediate aftermath, Governor Coke sent Adjutant General William Steele and Senator Joe Dwyer, who spoke Spanish fluently, to learn more about conditions in the region. Steele took the captive raider's statement before he was hung. The information he related formed an important part of Steele's investigation into the affair. Steele learned from the captured Nueces Town raider

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[42] Hager, "The Nuecestown Raid of 1875," p. 267.

[43] Hager's description of the retaliation inflicted by the organized minute companies relies heavily on accounts provided by J. Frank Dobie. See, "The Nuecestown Raid of 1875," pp. 267-8.

that small parties departed from La Bolsa and rendezvoused under the cover of darkness "about twenty miles form where they commenced their operations." After being joined with another party with fresh horses they concealed themselves under the cover of timber for several days, waiting for more men to join them. Once it was clear no others were arriving, they proceeded to their first target. The condemned prisoner explained that he was recruited for what he believed would only be robbery, believing that no one was to be harmed. Steele surmised that "there is no question but that expedition was intended to have been of larger proportions, and that Corpus Christi was the objective point; but dissensions among themselves reduced the numbers so much that they dared not attack so large a place." Steele's investigation further revealed more details of the prisoner. In a happier time he was a citizen of Victoria, Mexico, who later had the fortune to marry and work on a ranch not far from Brownsville.[44]

The investigation exposed an unsavory truth of border warfare: Anglo terror. "Undoubtedly," Dwyer concluded, "robberies and murders by Mexicans from Mexico have almost continually been perpetrated in Texas, but in retaliation Americans have committed terrible outrages on citizens of Mexican origin." During their investigation, Dwyer and Steele had learned of one instance that took place in Bee County. "We heard of a Mexican," Dwyer related, "a quiet citizen (so reported to be by the presiding justice of the peace of the county, an

[44] *Committee on Foreign Affairs*, Report 701, "Mexican Border Troubles," p. 139.

American), who had been brutally murdered a few days before our arrival, by several Americans, because (as was stated to General Steele) the Mexican would not go and play the fiddle for them." Dwyer concluded: "This substantiates fully General Steele's report, viz: 'That there is a considerable element in the country bordering on the Nueces and west that think the killing of a Mexican *no crime*.'"[45]

Indeed, Dwyer found the retaliation directed against innocent Mexicans for the Nueces raid unjustifiable. "Instead of exterminating the banditti who invaded Texas," Dwyer complained, "the vengeance fell on the poor and unfortunate living in the country."[46] As late as May 14, 1875 Inspector General N. H. Davis submitted a special report documenting the condition of the Lower Rio Grande. Davis explained to Inspector General R. B. Marcy, that rangers in and around the region of the Nueces were indiscriminately attacking Mexicans. Ironically, Davis concluded: "There is reason to fear that they may, in their rage and indignation, injure innocent persons."[47] Despite the evidence made available in Dwyer and Steele's investigation some border denizens refused to acknowledge Anglo excess. The permanent committee of the citizens of Brownsville convened in April 1875 concluding "a lean minority can never so oppress a preponderating

[45] Ibid., 142.
[46] *Committee on Foreign Affairs*, Report 701, "Mexican Border Troubles," p. 142.
[47] Ibid., 134.

majority, and the absurdity of the allegation is proven by the bare presentation of the facts."[48]

Steele also discovered that "a party of raiders were arrested at Camargo, Mexico." J. Ulrich, US Consul at Monterrey, later reported that at least ten prisoners passed through Monterey under guard, suggesting that Mexican officials were not complicit in events but making every effort to capture the remnants of the band. Consul Ulrich found other motives than plunder in reading the actions of the raiders. "There is no doubt from the conduct of these raiders," explained Ulrich, "but that, although plunder was the main object, retaliation for [Colonel Edward] Hatch's course entered into their plans. The taking of prisoners men and women, the marching them along their route, can be explained on no other grounds than that they wish to treat Americans as Mexicans from Las Grullas were treated by our military authorities."[49] Yet, not all counties suffered from cattle theft to the same degree or in the same way. John Vale, Deputy Collector of Customs at Roma, took notice of the recent shifts in violence that escalated from cattle theft to the looting of stores and murder. While he acknowledged that the raiders had "become more bold and daring," in Starr and surrounding counties the targets were typically Anglos. Especially vulnerable were the few Anglos in Rio Grande City and Roma. "Starr County," explained Vale,

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[48] U.S. House, *Texas Frontier Troubles*, 44th Cong. 1st Sess., Report no. 343, p. 55.
[49] *Committee on Foreign Affairs*, Report 701, "Mexican Border Troubles," pp. 120-121.

> has not suffered much form these outrages, for the reason that outside of the towns of Rio Grande City and Roma (the first having about fifty and the latter about five Americans) are no Americans to be found. All the stock-raisers in this country, excepting two living at Rio Grande City, are Mexicans, who keep their stock well in hand and herded, and will frequently lose a few head of cattle which run into the stolen herds passing through from points farther interior; but I do not think the losses of Starr County sum up to over one thousand head for each year.[50]

On April 12, 1875 General Mejia informed Mexican Minister of Foreign Affairs, J. M. Lafragua that the raiders may not have been *Mexicanos* from Mexico, but ethnic Mexicans residing in Texas. "By both of these [documents]," began Mejia, "you will be pleased to be informed of the recent events which have occurred in Texas, and the authors of which are said to be Mexican from our territory, which, in my judgment, cannot be the case." Suggesting a complexity to the causes and motivations for the raids that could not be taken for granted, Mejia elaborated further based on the evidence that he provided with his telegram to the Minister. "Granting that it is correctly stated that some Mexican robbers pass from this side to Texas," Mejia continued, "as also those from that side to this, they only engage in the robbery of cattle and horses, and never attack a town, as has occurred in the present case." "For this reason," concluded the general, "my opinion is that the wrongs are committed by individuals resident in Texas itself, who, in consequences of local State questions, have risen up as a kind of insurrectionists against the government of Texas." Mejia's more complex assessment allows for

[50] Ibid., 137-138.

the strategic claims to citizenship by *Mexicanos* who took advantage of the international boundary. It also suggests an organized response to grievances harbored by *Mexicanos* who remained on the Texas side of the river.[51]

*Mexicanos* were also targets of Anglo cattle thieves. The case of Sabas Cavasos is revealing. Dwyer acknowledged that the protection of property was often only available for "a select few." Dwyer described Cavasos as "a good, law-abiding Mexican citizen." He was a well known stock raiser for a quarter of a century, as well as a neighbor of Richard King. "Well one of [sic] enterprising Americans," explained Dwyer, "living, I believe, in Live Oak County, openly claims Cavazos's brand as his own property, without any sale or transfer from Cavazos." Dwyer put the issue squarely:

> Many of the citizens of Mexican origin complain bitterly that the safeguards and protection of the laws of the State are not usually thrown around their property as around that of a select few. They complain that the extensive beef-packeries [sic] too freely receive and butcher cattle bearing Mexican brands. They say that, while reports of cattle or hides, with A's, B's, and C's, American brands and ear-marks, giving full description thereof, are generally properly made, when it comes to their property, their cattle or hides, they are usually reported simply as so many cattle or hides with Mexican brands, without any description thereof; hence their inability to trace their own property, even when sold without their authority.[52]

[51] Ibid., 126.
[52] Ibid., 142.

### *The Committee of the People*

On April 29th, 1878 Mayor John M. Moore of Corpus Christi called "a well attended meeting of citizens" to order at Market Hall. The purpose of the gathering was "to make a proper representation of the condition of affairs on this frontier to the State and National authorities." Local authorities regularly convened the community in order to respond to crises such as the one Corpus Christi faced that Spring. Often organized citizens would plead for immediate assistance usually through a petition to the governor that outlined the threat that confronted them. This particular meeting was notable given that the community produced and later distributed a pamphlet that in all respects revealed the complexities of frontier defense.[53]

The raid began on Sunday, April 14, 1878, when an estimated forty "invaders" crossed the Rio Grande near Apache Hill, not far from Fort McIntosh and some forty-five miles north of Laredo. The raid lasted a total of six days with the raiders covering an estimated three hundred sixty miles, returning to where, it was assumed, they began, Santa Rosa, Coahuila, Mexico. The raiding party consisted of a combination of Kickapoo, Lipan, and Seminole Indians, *Mexicanos*

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[53] The following discussion of the events in and around Corpus Christi are based on *An Appeal by the People of the State of Texas, of the Territory between the Nueces River and the Rio Grande, prepared by certain Civil Authorities of that District, and Addressed through the Hon. Secretary of State of the United States, to the President, to Congress, and to the Country for Protection against Incursions of the Savages of the State of Cohahuila, Mexico, and, also, the History of a Late Murderous and Devastating Raid, with Affidavits of Eye Witnesses to the Atrocious Crimes Committed.* (Corpus Christi: Free Press Print, 1878).

and an undetermined number of "white" men. The targets of the "predatory party" were the number of *ranchos* or "dwellings and circumjacent [sic] lands." The raiders were indiscriminate in attacking both *Mexicanos* and Anglos. Some of the freighters and *rancheros*, both Anglo and *Mexicano*, who encountered the raiders lost their lives while others were more fortunate, escaping less horses, saddles, and utensils.

Upon crossing the Rio Grande the band killed two "*vaqueros*," then making their way southeast along the main road towards Laredo. At dusk they arrived on the edge of the *rancho* of Jorge Garcia, killing him and removing his leggings, a saddle, and a number of saddle horses. From Garcia's *rancho* the "predatory party" shifted to the northeast riding towards the Nueces River. After dividing into smaller bands, they attacked "almost all of the ranchos" in the area. They successfully looted Henry Spohn's place. On April 17th, the party left Webb and La Salle counties with "a large drove of horses." Not long afterwards they targeted the ranch of William Steele, just fifteen miles from Fort Ewell. At Steele's *rancho* they killed John Steele, William's brother, and two of John's boys.

Steele's ranch seemed to be a special target given that the entire raiding party converged nearby. The reason for the convergence was explained by it being "the chief objective points for the concentration of Indians when on frontier

raids." The site served as a transit point. "Their exits," the pamphlet revealed, "are made, generally, from this vicinity, whether they take an upper or a lower line of departure."[54]

Captain John Dix began the meeting with a historical overview of "the condition of the frontier since 1834." Dix concluded his brief history by reciting the most "recent atrocities" visited upon the outlying *ranchos* of the region. Dix also assessed the federal troops stationed in the area by comparing them to the companies of Texans who, according to Dix, exercised considerable "discretionary powers." Dix argued that the Texans were far more effective in Indian warfare "than a regiment of regulars." Moved by the events that Dix recounted and after a number of additional presentations, the assembly empowered a committee "to draft suitable resolutions" regarding their defense to be sent to state and federal representatives.[55]

The "Committee of the People," as it was referred to, met a second time on May 22, 1878 in order to appoint a select few "to obtain authentic statements of events of the recent raid." The Committee of the People assembled once more on June 4, 1878 to evaluate the affidavits that they had collected. Afterwards, the evidence was presented to the rest of the community and a number of notable guests, including former Governor E. J. Davis. Following the presentation of

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[54] *An Appeal by the People of the State of Texas,* pp. 6-7.
[55] Ibid., 37.

official statements, Captain R. Jordan touched upon "the exposure of the families of our frontiersman to sudden incursions of the Indians." He also delivered "a heart-moving statement regarding the killing of his son."[56]

From the beginning the committee was aware of the keen interest of the city papers to publish their work. The business of the committee concluded, Mayor John M. Moore, Captain H. W. Berry, and William Headen were entrusted "to prepare a history of the raid from the data before the Committee, in the form of a memorial address to the President and Congress of the United States, and supported by the affidavits as taken, [and to] have the same published in pamphlet form, to be laid before each department of the General Government, upon the desk of each member of Congress, and upon the tables of the 'press' of the United States."[57]

The committee of the people reconvened for a final time on June 13, 1878 in order that a draft of the memorial might be presented. The final document contained an address and a narrative of the events. Affidavits were also included. The Committee of the whole approved and "unanimously adopted" the document, ordering it to be printed. In addition, all agreed that copies of the pamphlet should

[56] Ibid., 39.
[57] Ibid., 38-40.

be sent to "leading journals of the country" as well as state and national elected officials.[58]

In this document we are presented with the "discourse" of frontier defense, a political intervention in the form of an address, a narrative of the event itself, and the evidence used to support the statement by the committee. The address and the history of "the raid" juxtaposed to the evidence provided exposes the common sense attitudes and popular conceptions held at the time. The brief history of the actual raid, the portion that comprises the text recounts the tragic events of that spring. The entire document reveals a great deal about the representation of violence. The plea for the intervention of state and federal forces exposes the tension between local and national interests. The relations of power produced in the text also rely, to a great extent, on the identities of specific groups which themselves fit into proscribed roles of a barely obscured master narrative.

[58] Ibid.

# 3. THE ACCIDENTS OF WAR AND REVOLUTION

> Boycotts are a form of war of position, strikes of war of movement, the secret preparation of weapons and combat troops belongs to underground warfare. A kind of commando tactics is also to be found, but it can only be utilized with great circumspection.
>
> Antonio Gramsci[1]

The racial conflict between *Mexicanos*, who refused to surrender, and the occupying forces of the American army, including their irregular forces, prolonged the war. The cultural biases and resentments Anglos had acquired continued long afterward. Much of the hostility and lingering resentment spilled over into a series of clashes along the newly established border after the war. This chapter examines the Merchants War (1851-52), the Callahan Raid (1855), and the Cart War (1857). At the outset, it should be stated each war achieves the status of organized warfare in the popular consciousness, but only occasionally in the historiography. The US military understood each conflict as part of the ongoing "Mexico Border Troubles" that plagued the region. Each of the above mentioned conflicts were discrete episodes with only one, the Merchants War, exhibiting more formal processes and protocols associated with more formal wars, including organized battles with set field pieces. All along, the US military expressed great concern over violence on the border, a subject to which we now turn.

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[1] Quintin Hoare and Geoffrey Nowell Smith, eds., *Selections from the Prison Notebooks of Antonio Gramsci* (New York: International Publishers, 1989): 229-230.

### *The Frequent Occurrence of Disorders and Outrages*

As early as June 11, 1852, Secretary of State of Daniel Webster reported to President Millard Fillmore that, "although there is a great want of official information on the subject, there is no doubt of the frequent occurrence of disorders and outrages committed on the borders between the US and Mexico." The violence of this early period, not long after the hostilities of the war that ended just four years before, consisted of "marauding incursions, and the violent seizing of persons to be transported across the line." Convinced the raids were likely to continue in the future, Webster was unsure who specifically was responsible for the marauding and seizing. What Webster was certain about was that the tension between *Mexicanos* and Anglos required immediate attention. "There seems to be an absolute necessity," he emphasized, "for the adoption of some measures for the preservation of peace and good neighborhood." Unfortunately, Webster was compelled to admit to the president, "unhappily these disorders are not confined to the inhabitants on either side." In addition to addressing the machinations of organized bands from Mexico, Webster recognized the duty of the US government to "restrain its own citizens from hostile incursions into the territories of Mexico." Remarkably, Webster confided that neither government was deliberately responsible for the outrages, since the perpetrators had not "received any countenance or encouragement from the

officers or agents of either of the government of the United States or of Mexico." "They are the lawless acts of individuals," Webster summarized, "the suppression of which for the future has become quite necessary." As a consequence, Webster pleaded for the gathering of official data.[2]

At a loss for a complete remedy for the conflict that consumed the border, Webster did not hesitate in recommending necessary steps. "I think it is important," he informed the president, "that the attention of Congress should be called to the necessity of some further legal enactments." Judging the existing legislation as inadequate, Webster argued that a new mandate was necessary to authorize the military to act in order to "repel lawless incursions of individuals into the United States." Webster clearly saw a need to assist local civil authorities, who otherwise might not be able to respond promptly. Indeed, the President's own legal authority, "to call forth the militia to repel invasion from any foreign nation or Indian tribe," did not treat the "existing circumstances." The legislation that the Secretary of State found inadequate provided for the interception of military expeditions of foreign powers, but it did not contain remedies for "their trial and confiscation." "These words," Webster confided, "hardly seem to embrace lawless inroads of gangs or masses of individuals."[3]

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[2] U.S. House, *Rio Grande Frontier, Message from the President of the United States*, 32nd Cong. 1st Sess., Ex. Doc. 112, p. 1-2.
[3] Ibid.

Early students of Border conflict easily recognized the complexity of Border warfare. Brevet Major General Persifer F. Smith astutely remarked "there is no doubt that, for some years, much disaffection has existed in the adjacent Mexican States towards their central government. It was so previous to 1846, and it is not less so now." In his report from the Eighth Military Department of Texas, Smith informed the Assistant Adjutant General that "while some of the population on the west side of the Rio Grande are ready to overturn their government, for motives interesting to themselves, there have been, on our side, many individuals ready to begin, or assist, for motives of their own, any such movement. Some who, in their own persons, or in those of friends, had suffered from the cruelties exercised by the Mexicans in the early contest with Texas, sought, and yet seek, to revenge them." Smith also suggested that many adventurers and merchants conducting illegal trade were able to profit when "the country is disordered by revolution."[4]

Many at the time understood the troubles as border warfare. This type of warfare for them was equally as devastating and cruel as any war might otherwise be understood. The Secretary of War concluded that "so long, however, as the species of border warfare which has lately been carried on in that region between the inhabitants of the two countries continues, it will be difficult, if not impossible, with any number of troops, and with the strictest vigilance on the part

[4] U.S. House, *Report of the Secretary of War*, 32nd Cong. 2nd sess., Ex. Doc. 1, p. 15-17.

of their officers, to prevent, on so extensive a frontier, a repetition of these disorders." The "species of border warfare" that preoccupied the Secretary of War was also peculiar in that "the troops stationed on the frontier may justly be considered as in active service –a service, too, in which they are exposed to all the hardships and dangers of war without its excitement to stimulate, or its hopes of honorable distinction to sustain them."[5]

### *Merchants War 1850*

Between 1851 and 1855 José María Carvajal's El Plan de la Loba challenged the authority of the Mexican and US governments. Many dismissed the revolution as nothing more than a filibuster against Mexico organized and launched from the US. The substantial number of mercenaries, many of whom were ex-rangers under the leadership of John Ford, fueled the suspicion of Carvajal's political project. The political dueling between Carvajal and General Avalos, over suspension or reduction of trade duties, undermined the political legitimacy of Carvajal's revolt.

Well before the Merchants War, Carvajal's loyalty had been called into question. Carvajal had a long history of engagement with Anglos. With the support of a number of Anglos, the young Carvajal learned the leather trades, sold bibles, and, surveyed land grants before returning to Texas. Carvajal's association

[5] Ibid., 3-4.

with Anglos had a profound effect. Stephen Austin wrote Mary Austin Holley informing her that Carvajal's "own countrymen call him a Norte Americano."[6] Carvajal first acheived prominence in Texas in May 1833 when he assisted Austin to translate the memorial of the Texas Convention to the Mexican government. In 1839 he and a force of American volunteers battled Mexican forces at Mier, during the Federalist War of 1839-1841. Later, Carvajal led forces opposed to American incursions during the War of American Intervention.[7]

Following the US-Mexico War, Carvajal resumed smuggling activities he had established with associates on the border who included, notably, Charles Stillman.[8] Border smuggling after the war was hardly unusual. However, what began as a largely shared project between ambitious men on both sides of the river would over time be almost exclusively blamed on *Mexicanos*. The pejorative code of "bandit" would come to be conflated with "Mexicans," attributing smuggling and theft almost exclusively to *Mexicanos* on both sides of the border. Brownsville editor Ovid Johnson preoccupied with the conditions that made smuggling a way of life along the border expressed his concern. "It is not to be

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[6] Harbert Davenport, "General Jose Maria Jesus Carabajal," *Southwestern Historical Quarterly* 55:4 (April 1952): 477.

[7] Joseph A. Stout, Jr., *Schemers and Dreamers: Filibustering in Mexico, 1848-1921* (Fort Worth: Texas Christian University Press, 2002): 17. Davenport, "General Jose Maria Jesus Carbajal," p. 481.

[8] Stout, *Schemers and Dreamers: Filibustering in Mexico*, p. 17.

regarded as extraordinary that after the close of the late war with Mexico and the disbanding of our forces on that frontier," Johnson explained,

> a large number of person, were found dispersed along that line, who felt little inclination to observe the Law, or to respect the rights of their neighboring citizens of Mexico –all wars and commotions, leave behind them, a refuse population, of the same description—On both sides of the Rio Grande, these persons have stationed themselves, and as a sort of waiters on providence, are ready for any enterprize [sic], lawful or unlawful, that presents itself to their attention.[9]

Johnson, something of a realist, accepted that "smuggling is of course, the most convenient resource, and we should not feel, in the least degree, surpized [sic], at the extent, to which this pursuit is carried, by the citizens or residents, of both Nations."[10]

Although Johnson recognized the diversity of the smugglers, he put the blame squarely on the Mexican government. "The enforcement of the revenue system of Mexico," he exclaimed, "is of things, the most uncertain and inefficient. Neither the officers or citizens, of that Republic, to any great extent, appear to have any verry [sic] conscientious scruples of duty, in favour [sic] of its rigid execution. Evasions are practised [sic] and winked at, by many of these officers and citizens, which seem to our view extraordinary." Johnson did not avoid the obvious, concluding that "American citizens have unquestionably availed

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[9] Ernest Shearer, "The Carvajal Disturbances," *Southwestern Historical Quarterly* 55:2 (October 1951): 205-206.
[10] Ibid.

themselves, of oppertunities [sic] offered, to evade these revenue laws, but they could have accomplished little, without the aid of Mexican confederates."[11]

Johnson was not always correct in his assessment. On July 20, 1850, for instance, the Mexican government revealed a more complex situation when it sent "a special guard" to the border to enforce its tariffs. The next day Luis de la Rosa, the Mexican minister to the United States, complained to Secretary of State John Clayton that smugglers from the US abused Mexican authorities along the border. De la Rosa expected that President Zachary Taylor would address the situation and eventually make reparations. According to Ernest Shearer, "the minister of Mexico hoped that the United States would consider moving the 'contra guerrilleros' [sic] to some other part of the United States, where 'feelings of rivalship [sic] and conflict do not exist between the inhabitants of Mexico and those of the United States.'"[12]

It is in this context that Carvajal initiated an ambitious plan to address the concerns peculiar to the border region by issuing El Plan de La Loba. The major goals of Carvajal's program were to eliminate prohibitive tariffs, minimize the Mexican military presence in the frontier and establish a free trade zone. Most importantly, the removal of trade barriers would mean better access to *manta* or coarse cotton. The missionary Abbé Domenech, who tended to the physical and

[11] Ibid.
[12] Ibid., 207.

spiritual needs of the people in the region represented the Merchant War as a struggle over the trade of "cotton stuff or *manta*." The *rancheros*, Domenech explained, "used an enormous quantity of it for inner and light garments and for manual purposes." He added:

> Wishing to protect the branch of national industry, the Mexican government had laid such a tax on foreign fabrics, as amounted to prohibition. This would have been a deadly blow to the frontier trade of Texas, had not smuggling assumed colossal proportions along the line of the Rio Grande, very inefficiently watched by about a dozen custom-house officers.

The merchants of Brownsville "conspired to excite a popular movement against the monopoly, and committed to General Carvajal the task of revolutionising [sic] the states of Cohahuila, Tamaulipas, and Nuevo Leon."[13]

Anglos had mixed motives in the Merchants War. However, there is little doubt that some were eager to further exploit trade opportunities. Many Anglo entrepreneurs along the border resented the tariffs imposed by Mexican authorities. Carvajal hoped to take advantage of the shared resentment. Carvajal and his supporters hoped to establish the Republic of the Sierra Madre, an independent state. Some who supported him entertained the ambition of creating an independent republic that could eventually be annexed by the US. Believing that Indian sought refuge in Mexico, most insisted depredations could be

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[13] Abbé Domenech, *Missionary Adventures in Texas and Mexico. A Personal Narrative of Six Years Sojourn in Those Regions* (London: Longman, Brown, Green, Longmans, and Roberts, 1858): 327- 328.

eliminated if a substantial portion of Mexico's northern frontier were under US control.

For much of his border career, Carvajal attracted the support of prominent Texans, recruiting a number of them into the rank and file of his small, diverse force. Ford, a well-known frontier personage, shared Carvajal's vision regarding the Republic of the Sierra Madre. Ford, as well as many others, intended to capture escaped slaves. Frederick Wilkins argues that "he made no apology for this, claiming there were an estimated three-thousand slaves who escaped to northern Mexico."[14] Ford was so convinced as to the virtues of the plan he defended it long after the revolt had failed.

Initially he enlisted almost three hundred men to serve for three to six months provided they were able to supply their own equipment. After each swore allegiance to Carvajal they were to earn the same pay as a Texas Ranger.[15] On September 23, 1851 Ford mustered out the rangers under his command, allowing them to quickly join Carvajal in October at Camargo. Ford was given command of the auxiliary force made up mostly of Anglos.[16] A number of Anglos, some recently discharged from the US military, from Roma, Davis, Lampasos, and Paso del Aguila also attached themselves to the movement. Eighty men under Captain

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[14] Frederick Wilkins, *Defending the Borders: The Texas Rangers, 1848-1861* (Austin: State House Press, 2001): 37.
[15] Stout, *Schemers and Dreamers: Filibustering in Mexico*, p. 18.
[16] Shearer, "The Carvajal Disturbances," p. 209.

Howell in Corpus Christi, delayed while waiting for an expedition to Cuba, also allied themselves with Carvajal.[17]

Narrowly escaping capture by Mexican forces, Carvajal fled to Rio Grande City where he recruited "American adventurers who had fought in 1846-7" and "a couple of hundred discontented Mexicans" with the assistance of Brownsville merchants.[18] On September 20, 1851 Carvajal targeted Camargo and briefly occupied the town long enough to make pronouncements against Mexican despotism. Intending to move on to Matamoros, Carvajal crossed the border on October 9.

In less than two weeks he was victorious at the Battle of Ceralvo, just outside of Matamoros. He fought his way into the city, easily taking Fort Paredes, a post originally raised to protect against the encroaching army of General Taylor. For ten days Carvajal laid siege to Matamoros, severely straining General Avalos' defenses. Carvajal controlled most of the city with the exception of the city center and the main plaza. Despite his initial success, on October 30, 1851 Carvajal ended his attack and withdrew his main force. General Avalos' forces eventually overwhelmed Carvajal's rearguard as he and his men retreated. Afterwards, Ford severely criticized Carvajal for allowing the retreat and subsequent defeat.[19]

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[17] Ibid., 214.
[18] Domenech, *Missionary Adventures in Texas and Mexico,* p. 328.
[19] Stout, *Schemers and Dreamers: Filibustering in Mexico*, pp. 20-21. Shearer, "The Carvajal Disturbances," pp. 211-217.

Reduced by desertions and facing a larger force of Mexican regulars, Carvajal's small army abandoned the field near Cerralvo. He fled to Texas and resumed preparations to continue the war by recruiting four hundred and thirty eight men, which, according to Stout, were overwhelmingly Anglo, only eighty-four being Mexican. On February 21, 1852 Colonel Valentín Cruz routed Carvajal just outside Camargo following "a fierce battle" which "raged for three hours." In August of 1852 Carvajal was able to rally some two hundred men at the head of four artillery pieces to once again cross the border but he was unable to stay long enough to confront Mexican forces.[20]

At a public gathering in May 1852 Colonel H. L. Kinney invited Carvajal to rally those in attendance for men and support. General Hugh McLeod gave Carvajal a ringing endorsement. Carvajal's own pleas against Mexican tyranny failed to raise any funds, signaling the eventual demise of the revolt.[21] The official position of the US government was to prevent any type of filibustering activity. General D. E. Twiggs, for example, had explicit orders from President Millard Fillmore to enforce neutrality regulations. However, Twiggs was unable to control the support that some of his own men gave to Carvajal's adventures. Publicly, at least, it appeared that Carvajal generated a great deal of enthusiasm. Although some viewed Carvajal as a "miserable freebooter and rapacious robber," others

[20] Stout, *Schemers and Dreamers: Filibustering in Mexico*, pp. 21-22.
[21] Shearer, "The Carvajal Disturbances," pp. 223-224.

enthusiastically praised his efforts. Just before his victory in the Battle of Ceralvo, one Texas paper celebrated him as "a gallant colonel."[22] Men flocked to his banner despite the many defeats he suffered throughout the period of the military expedition from 1851 to 1855.

Carvajal's mobilization convulsed the region, unleashing renewed depredations. In the December 4, 1852 report of the Secretary of War, Conrad described the situation created by Carvajal:

> a number of persons of desperate character and fortunes were attracted to that frontier by the lawless attempts of Carvajal; and, after his defeat, they dispersed through the country, and resorted to plunder for subsistence. On the other hand, many of the inhabitants of Mexico either sought to avenge themselves for the wrongs inflicted on them by that adventurer and his followers, or found in his lawless proceedings a justification for their own, and retaliated on the peaceable inhabitants.

Conrad further surmised, "the Indians in that vicinity availed themselves of the confusion and alarm consequent upon this state of things to renew their depredations." The Secretary admitted that the "efforts of the department have been principally directed to the defence [sic] of our frontiers and those of Mexico from the Indian tribes within our borders."[23]

Although the US seemed ambivalent, the Mexican government strenously protested that Carvajal be supported to mount attacks. Mexican officials were deeply suspicious of the official US position regarding the activities of

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[22] Stout, *Schemers and Dreamers: Filibustering in Mexico*, p. 18; 20.
[23] U.S. House, *Report of the Secretary of War*, 32nd Cong. 2nd sess., Ex. Doc. 1, p. 3.

commanders like Carvajal. "To Mexicans," Stout explains, "it also seemed plausible that the United States supported the ventures for economic, political, or ethnic reasons."[24] High-ranking Mexican officers and local officials refused to accept Carvajal's banner. Mexican officials consistently alerted their American counterparts through official diplomatic channels regarding provocative troop mobilizations and activity. Carvajal's failure to secure substantial support from within Mexico doomed the revolt from the beginning. Not surprisingly, the Mexican supporters Carvajal was able to gather resented the participation of so many Anglos, especially prominent ones such as Ford.

Efforts by the Mexican government to pressure the US to officially respond were unsuccessful until Carvajal and some of his men were detained in Corpus Christi for violation of neutrality laws in April of 1853. In January 1854 Carvajal received sympathetic treatment from a Galveston jury, allowing him to resume his recruitment effort for men for another expedition. While mobilizing support, a group of unauthorized followers attacked Ciudad Victoria. Mostly Anglos, the renegade band held the city until they learned of approaching Mexican forces under the command of Colonel José Barrieto. Small forays continued throughout the year in which, according to Stout, Carvajal "remained a problem for several years." Later Carvajal reestablished political legitimacy for

[24] Stout, *Schemers and Dreamers: Filibustering in Mexico*, p. xiii.

himself in Monterrey eventually gaining the favor of Benito Juárez who appointed him governor of Tamaulipas.[25]

The phenomenon of filibusters launched from the US into the tier of northern Mexican states is well known and has been amply covered by a number of scholars. Expeditions such as Carvajal's have been understood as aggression that could take advantage of what was generally believed as Mexico's inability to maintain the integrity of its national boundary. Mexico's long history of civil conflict made government authority tenuous the further away from Mexico City, making Mexico's northern frontier region ripe for filibustering expeditions. The Mexican government's official position following the war saw any expedition organized from the US side of the border as a filibuster. The critical point to be made here is how designations such as filibuster, and by extension bandit, are raced. Filibusters were not always only organized by Anglos with territorial ambitions, but in some instances facilitated by *Mexicanos* with their own local political ambitions. Observers also employed race to support the efforts of Carvajal even though Carvajal's own position against the Mexican forces he encountered was ambivalent.

### *Callahan Raid*

Brevet Major-General Persifor Smith reported to Lieutenant Colonel L. Thomas that Lipans had been, "secretly descending along the valleys of the

[25] Stout, *Schemers and Dreamers: Filibustering in Mexico*, p. 23.

Cibolo and Medina, and uniting in parties of six or eight." According to Smith they "carried off two hundred horses from farms on the Cibolo and on the Medina, and on the San Antonio below the junction of the Medina, down as far as the neighborhood of Goliad." Smith also reported the loss of life, including a young boy named McGhee and "a small black girl." The Lipans appeared to show little restraint according to Smith, having killed "a woman and attempted several other murders." Local citizens attempted to pursue the raiding parties. The volunteers had only limited success, catching only a small band by surprise.[26]

The frequent reports of raids spurred Governor Elisha Pease to muster a force of rangers to prevent further depredations. In the fall of 1855 the Governor organized a force of rangers to equal the size of a company of the US army. The Governor had little choice since his repeated pleas to the District Commander for a detachment of regulars or for a volunteer force called up by him went unheeded. Moreover, local residents of the region between the Cibolo and the Medina rivers and as far south as the Rio Gande increasingly complained of the unchecked raids. The brutal loss of life fueled the outrage that frontier residents expressed to Pease. On July 5, 1855 Pease empowered James Callahan to raise a company of rangers and protect the settlements from "marauding parties of Indians that may be found in the neighborhood," pursuing them "wherever they may found." On July 20, 1855 Callahan mustered into service eighty-eight men who would serve for three

[26] U.S. Senate, *Letter from the Secretary of War*, 45th Cong. 2nd Sess., Ex. Doc. 19, pp. 113-114.

months. Each man was expected to supply his own equipment, relying "upon the justice of the Legislature for reimbursement."[27]

The expedition was racked by controversy. The Company had successfully patrolled against incursions during the early Fall. Believing that the source of the raids originated across the border and having the Governor's approval to follow the raiders "wherever they might be found," Callahan and his men set out for Mexico. A generation of scholars who unabashedly celebrated ranger exploits had few qualms about Callahan and his company. Later, historians of the rangers, forced to contend with a tarnished ranger record, acknowledged the raid with ambivalence. While uncomfortable with ranger deeds in the fall of 1855, scholars have accepted Callahan's leadership and actions as necessary by-product of frontier defense. Indeed, even scholars generally critical of Anglo treatment of indigenous populations represent Callahan's expedition as a punitive raid against intractable Indians.[28]

Controversy focused on the invasion of "the territory of a friendly nation" and the burning of Piedras Negras. There remains a considerable amount of debate regarding the motivations and objectives of Callahan and his force. The

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[27] Shearer, "The Callahan Expedition" Southwestern Historical Quarterly 54:4 (April 1951): 430-432.

[28] Manuel Ceballos-Ramírez and Oscar J. Martinez, "Conflict and Accomodation on the U.S.-Mexican Border, 1848-1911," in Jaime E. Rodríguez O. and Kathryn Vincent, eds., *Myths, Misdeeds, and Misunderstandings: The Roots of Conflict in U.S.-Mexican Relations* (Wilmington: SR Books, 1997): 135-158.

State of Texas insisted the Callahan expedition was vital to the protection of the frontier and, as such, to be funded by the federal government. Governor Pease defended the actions and outcome of the invasion. Pease insisted Callahan was beyond reproach and that Mexican collusion with marauding bands of Indians warranted such dramatic measures.

While some evidence exists that the force had every intention of crossing to chastise Indians, information also surfaced that Callahan hoped to retrieve runaway slaves. Ron Tyler suggests that "overwhelming evidence exists to support the contention that Callahan's prime purpose was to recuperate runaways." He argues that slave owners persuaded Callahan "to subordinate the purpose of his commission and to try to punish Mexicans for guarding escaped slaves and to recover as many renegades as he could." The chasing of marauding Indians, according to Tyler, was nothing more than a ruse for the larger purpose of slave retrieval.[29]

Callahan originally had arrived in Texas in December 1835 as a volunteer from Georgia. After serving Texas throughout the duration of the war, he choose to remain in the Republic. Later, Callahan established a reputation as an Indian fighter. William Henry joined Callahan's rangers but not before his small band of filibusters generated a great deal of mischief on the other side of the border.

[29] Ronnie C. Tyler, "The Callahan Expedition of 1855: Indians or Negroes?" *Southwestern Historical Quarterly* 70:4 (April 1967): 583-584.

Henry had gained something of a reputation for an earlier filibuster into Mexico. Earlier he had begged the Governor for a commission reassuring him of his talent as an Indian fighter.[30] On September 25, the combined forces of Callahan and Henry elected officers, securing Callahan's authority over the expedition.

Once they reached Eagle Pass, the expedition crossed the Rio Grande just three miles below, avoiding possible detection from Fort Duncan. Over one hundred men forded the river and started towards San Fernando in search of an Indian camp.[31] On October 4 at Escondido Creek, just twenty-two miles from Piedras Negras, the rangers skirmished with a substantial Mexican force. Callahan's rangers were forced to retreat to Piedras Negras, sending "a demand to the *Alcalde* to surrender the town." Expecting a large Mexican force to lay siege to the beleaguered town, the next day the rangers barricaded the three streets of the small village with overturned ox carts they appropriated from the *fleteros* who were the principal occupants of the town. Callahan later justified his delay in Piedras Negras claiming that their retreat was impossible due to the unseasonably high water of the river. The swollen Rio Grande did in fact prevent an easy crossing. While preparing for the siege, Callahan begged for reinforcements from Captain Sidney Burbank at Fort Duncan. Burbank was under explicit orders from his superiors not to render any aid to Callahan's party, forcing him to refuse

[30] Wilkins, *Defending the Borders,* pp. 44; 49.

[31] It is not clear if Callahan and his force were pursuing Lipans or Wildcat and his band of Seminoles and escaped slaves.

Callahan's request. He did agree to offer limited assistance in protecting the ranger's retreat. Burbank aimed four canons at Piedras Negras in the event that the rangers were able to cross.[32]

Some rangers were able to leave and began deserting while the remainder prepared defenses. On October 6, 1855 upon learning that a substantial force of Mexican regular troops was fast approaching the barricaded village, the rangers repeated their request for aid from Burbank and Fort Duncan. Callahan gave the order to abandon the village sometime around four o'clock in the afternoon. Just before he and his men set out for the river, they torched the *jacales* of the entire village. The burning village created a smoke screen sufficient to cover their escape, concealing the rangers movements and the plunder that they had taken with them. While occupying the town, the rangers helped themselves to sacks of beans, flour, corn and produce as well as jewelry, watches and other valuables.[33]

When Callahan first arrived, a number of residents of Piedras Negras crossed the river seeking protection at Fort Duncan. Others fled to neighboring villages. It was not unusual for residents of Piedras Negras to seek aid from the Fort. Piedras Negras had substantial commerce with the soldiers of the installation, supplying the fort with a variety of goods and services. The small village of Piedras Negras, opposite the bank of Fort Duncan and Eagle Pass, was

[32] Shearer, "The Callahan Expedition" p. 440.
[33] Ibid., 442.

the home of a number of freighters who provided forage and foodstuffs to the muster at Fort Duncan. In fact, the Callahan raid revealed the considerable amount of *Mexicano* and Anglo interdependence. Although small and impoverished, the town more than likely had emerged as a result of the exigencies of frontier defense, developing in the shadow of the fort.[34]

The force that Callahan and the Rangers encountered demonstrated the complexity of the conflict along the US-Mexico border. The reports on the size of the force the rangers faced, the presence of Seminoles and Lipans, and the amount of casualties the rangers inflicted are contradictory. Persifor Smith, for example, reported that after having communicating with General Langberg the Rangers faced two hundred *rancheros* "and that eight Lipan Indians were present accidentally and took part in the fight." In his official report Callahan claimed that he and his rangers killed "eighty Indians and many Mexicans." However, reports gathered from Langberg confirmed only six fallen from the one hundred ten men of the ranger force and four killed and four wounded from the force of two hundred *rancheros* reported to be in the field.[35] Not surprisingly, the Seminoles that accompanied the force of Mexican regulars who surrounded Piedras Negras raised a concern about the potential for future conflict with them.

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[34] U.S. Senate, *Letter from the Secretary of War*, 45th Cong. 2nd Sess., Ex. Doc. 19, p. 164-165.
[35] Ibid., 114.

Mexico strongly condemned the Callahan invasion and the burning and looting of Piedras Negras. Santiago Vidauri, recently appointed commander of the northern frontier, and Emilio Langberg, a commander of the state of Coahuila, were both outraged. The shared sense of violation and patriotic fervor briefly mended political fences between the two political rivals, both men finding common ground due to national pride. Historian Ernest Shearer explains that Mexican public opinion ran so high that the U.S. legation under James Gadsden suffered the vitriol of Mexican dailies.[36]

US public opinion weighed heavily in favor of Callahan and his expedition. General Smith expressed doubt that the ranger force would be brought to justice, given that sentiment and fear ran high in the region. "They represent the whole affair as a brilliant and successful exploit," complained Smith, "and as such, no doubt, the newspapers throughout the country will represent it. They are upheld by, with very few exceptions, the whole population; and as the Indians who have committed the depredations here are undoubtedly upheld and encouraged by the Mexican authorities, it is hard to convince the Texans that retaliation on the innocent is not the way to correct the evil." Smith's main concern, an attitude shared by his superiors, was to prevent any further incursions from armed bands of Americans.[37] His assessment of the fallout from the

[36] Shearer, "The Callahan Expedition" p. 444.
[37] U.S. Senate, *Letter from the Secretary of War*, 45th Cong. 2nd Sess., Ex. Doc. 19, p. 114

Callahan raid in every way reflected the calculus of frontier defense. Anglo residents had mostly fear and contempt for Indigenous peoples in the area. Moreover, many frontier residents believed that the work of predatory bands was made possible by the nefarious interventions of officials across the river.

People living outside of the region, who knew nothing of "depredations" and border warfare were expected to be less sympathetic with the ranger's actions. An anonymous correspondent from Eagle Pass, for example, defended their work, providing a justification many found perfectly legitimate. "People living in security in the old States, and who happily know nothing of the dangers and trials of frontiersman, except what they have gathered from the 'Adventures of Daniel Boone' and other leather-stocking heroes," he declared, "will doubtless many of them condemn, *ab initio*, the Texans for their efforts to free themselves from Indian barbarities because in there efforts it was necessary to violate the territory of a friendly nation." Most Texans, he added, not only faced Indian barbarity but also suffered the wickedness of the Mexican government. In fact, many were prepared to blame local Mexican leaders for the debacle. While not fully approving "all that has been done by the Texans in this expedition," our correspondent insisted, "the evils that came of it were the results more of Mexican imbecility and deceit than any thing else." The greatest obstacle to peace on the frontier was the Mexican government, who, it was believed jealously guarded the

sovereignty of her borders steadfastly refusing US officers to cross in pursuit of the "red rascals [who] go out on the other side with their booty." "Our government," declared our correspondent, "owed it to her citizens suffering these injuries to demand of the Mexicans the surrender of these enemies of our peace, and to *enforce* the demand if necessary." Regarding the consequences of the invasion there seemed to be little doubt. "These events will produce the greatest bitterness between the two sides of the river," explained our anonymous correspondent. The tension was likely to be so great that this anonymous correspondent fully expected "the commencement of another Mexican War, which must result in the annexation of all Northern Mexico, with Saltillo, Monclova, and Chihuahua for frontier stations."[38]

The battle did not end with the successful retreat of Callahan and his men. In fact, conflict in the form of payment for reparations raged on for some time. Demanding to be reimbursed for their expenses, Texas' authorities argued that the burden for the costs of frontier protection fell on the federal government. In addition to the battle between the state government and Congress as to who was going to pay the bill for Callahan's expedition, there was a battle over reparations

[38] "The Late Foray into Mexico," from the New Orleans *Picayune* (October 24, 1855); "Violacion de Territorio, Año 1850-1877;" Archivo Historico "Genaro Estrada", Secretaria Relaciones Exteriores, Mexico, D.F.

for the residents of Piedras Negras. Villagers who suffered when Callahan ordered the burning of their village sought compensation for their losses.[39]

In the course of Texas' pursuit for reimbursement for the expenses they incurred during the raid, an investigation revealed a cabal of Piedras Negras residents who attempted to defraud the US government. Many of the conspirators at the time of the claim resided in the US. The fraud was not the wicked scheme of conniving "Mexican bandits," but rather a combined effort by local and opportunistic *Mexicanos* and Anglos who sought to bilk the US government out of hundreds of thousands of dollars. The US and Mexican Claims Commission, established by convention on July 4, 1868, officially reached a settlement regarding some of the claims on November 23, 1876. The Commission evaluated 998 claims on the part of Mexican citizens, dismissing 831. However, the Commission did award the remaining 167, of these 150 were related to the "Piedras Negras cases" which were treated as one case. The amount Mexican citizens received totaled $150,498 in damages.[40]

### *The Cart War*

Images of a frontier full of obstacles to be overcome, including "savage Indians" and "treacherous Mexicans," fueled the numerous proclamations that settlers lived in a constant state of terror. Yet, Anglos claimed the state of terror

[39] U.S. Senate, *Claims on the part of Citizens of the United States and Mexico*, 44th Cong. 2nd Sess., Ex. Doc. 31.
[40] Ibid., 5.

only for themselves, reluctant to admit any victimization to *Mexicanos* who were otherwise represented only as perpetrators. By all accounts *Mexicanos* were in a difficult position. *Rancheros* who cooperated with Anglo authorities and settlers put their lives in danger, exposing themselves to retaliation by embittered countryman determined to punish a betrayal or putting themselves at risk for their proximity to Anglos.

One of the groups most vulnerable were *fleteros* or freighters who were consistently open to attacks. *Mexicano* cart men were the most exposed. Attacks were not only carried out by "depredating" Indians, but in some instances by Anglos eager to control lucrative markets. One episode of violence that targeted *fleteros* took place in 1857. "En algunos de los condados interiores," reported the Brownsville *American Flag*, "los habitantes maltratan cruelmente á los pobres Mejicanos, aunque reciben el pan que les sirve de sustento de manos de los compatriotas de estos."[41] The 1873 Mexican Committee of Investigation concluded that documents confirmed "the insecurity under which the Mexican population in Texas had labored." "A large portion of the disturbances which occurred between the Bravo and the Nueces rivers," the Commission concluded, "is attributable to the persecutions suffered by the Mexicans residing there; persecutions which have engendered the most profound hatred between the

[41] *Informe del Gobernador del Estado de Tejas, I Documentos Relativos a Los Asaltos Contra Los Carreteros Mejicanos*, trans. J. A. Quintero (Austin: John Marshall I Compañía, 1857): 12.

races." The combined competion and violence over freighting came to be known as the Cart War.[42]

On September 17, Nicanor Valdes testified that just days before close to forty men, wearing masks and armed with double barrel shotguns and six shooters, attacked his freight train while en route from Lavaca to San Antonio. Valdes and twelve colleagues were waylaid almost a league outside of Helena in Karnes County. In the course of the attack, Antonio Delgado was fatally shot fourteen times. Valdes and his two brothers, Esteban and Martiniano, survived despite receiving a number of serious wounds.

At the inquiry where the Valdes brothers testified, C. G. Edwards provided additional evidence of a similar assault that took place earlier that summer. According to Edwards sometime close to midnight, he woke from his slumber beneath one of the "Mexican carts." Just seven miles outside of Goliad, Edwards and his *Mexicano* companions were attacked. In the course of the raid Edwards and several other *Mexicano* carters were severely wounded.[43]

*Carreteros* were an essential part of the trade and transport from San Antonio to Lavaca. Making use of the La Bahia Road or Mexican Cart Trail, *carreteros* hauled a variety of imported goods, returning to Lavaca with essential agrarian stuffs such as cotton, hides, and wool. *Mexicanos* dominated the

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[42] *Reports of the Committee of Investigation, Sent in 1873 by the Mexican Government to the Frontier of Texas* (New York: Baker and Godwin Printers, 1875): 120, 131.
[43] *Documentos Relativos a Los Asaltos Contra Los Carreteros Mejicanos*, pp. 7-8.

transport trade throughout the region, making profitable use of smaller, faster carts. *Mexicano* freight trains camped close to the road, minimizing time lost during stops. The advantages enjoyed by Mexicano *carreteros* undermined Anglo teamsters' efforts to monopolize the freight business.

Teamsters, according to Ellen Schneider and Paul Carlson, angered at the competition, "fabricated tales suggesting that cart drivers stole provisions and rustled cattle, activities which allowed the *carreteros* to underbid and charge lower rates." By the summer of 1857 Teamsters and local allies organized small clandestine bands to terrorize defiant Mexicano cart men, attracting a number of "outlaws, local toughs, and other disgusting characters." These criminal outfits attacked *Mexicano* cart trains after dark. Their faces covered with gunnysacks, they systematically terrorized Mexican freighters. They plundered their freight, destroyed their carts, wounded, and, in some cases, killed *Mexicano fleteros.*[44] In October, Mexican Minister Manuel Robles i Pezuela alerted Secretary of State Lewis Cass that he had learned that there were some seventy-five victims. Robles also informed Cass that a number of *Mexicano* freighters and their families were forced into exile across the border having been victimized by the gunnysackers.

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[44] Ellen Schneider and Paul H. Carlson, "Gunnysackers, *Carreteros*, and Teamsters: The South Texas Cart War of 1857," *The Journal of South Texas* 1:1 (1988): 3. Schneider and Carlson claim that the Anglo toughs who attacked the Mexican cart trains covered their faces with gunnysacks and have thus come to be known as gunnysackers.

Tension had already existed due to bitter accusals of retaliatory border raids. Renewed accusations further agitated the ire of local ranchers. Schneider and Carlson suggest "the Mexican *carreteros* provided adequate scapegoats and targets for a variety of charges." They attribute the racial animosity that fueled the attacks to the political activism of the xenophobic, anti-Catholic Know Nothing Party active in the region. Local mistrust was also exacerbated by the widespread belief that *carreteros* assisted slaves to resist. *Carreteros* were suspected of inciting local slaves and facilitating their escape while en route to their principal commercial entrepôt.[45]

Cass, once convinced of the gravity of the matter, informed Governor Pease of the "sistema organizado de persecucion, violencia, espulsion, i aun asesinato."[46] Prompted by Cass's intervention, Pease traveled to San Antonio to investigate further. After a number of conferences, Pease was convinced of the need for action. He organized a militia company to respond to the situation. He also reported his concern to the Texas legislature on November 11, 1857. Pease did not rule out the nefarious role of *Mexicanos*, nor did he forget the prejudices many held against their Mexican neighbors. Thus, Pease distinguished between "good" and "bad" Mexicans. Pease explained, "que un sentimiento profundo de hostilidad prevalecia en muchos de los condados al redor contra todos los

[45] Ibid., 3.
[46] *Documentos Relativos a Los Asaltos Contra Los Carreteros Mejicanos*, p. 9.

ciudadanos de origen Mejicano, i que habia peligro inminente de ataques en represalia por parte de ellos, los cuales si se comenzaban una vez debian inevitablemente dar por resultado una guerra civil de razas."[47]

Local law enforcement proved powerless to stem the tide of violence against *Mexicano* freighters. Not only had attacks become more frequent, but many targets of the organized violence were hauling freight destined for the numerous military posts in the region. The threat that persistent violence posed to military operations sparked military intervention. General David Twiggs assigned military escorts for the cart trains.[48] Despite official efforts at intervention, the bulk of the violence did not end until local vigilante committees in Karnes and Goliad counties put down the "gunnysackers," stemming the tide of the racial violence.

A crucial, if not fully, examined element in the anticipated success of organized invasions of Mexican territory was the racial attitudes that most Anglos held regarding Mexican inferiority. The success of the recently concluded US-Mexico war confirmed the dim view many Anglos held of their Mexican neighbors.[49] These negative attitudes revealed themselves in the commonly held

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[47] Ibid., 4.

[48] Schneider and Carlson, "Gunnysackers, *Carreteros*, and Teamsters," p. 4.

[49] For literature that treats the negative attitudes and views Anglos held of Mexicans, see Arnoldo De Leon, *They Called Them Greasers: Anglo Attitudes Toward Mexicans in Texas, 1821-1900* (Austin: University of Texas Press, 1983); Arthur G. Pettit, *Images of the Mexican American in Fiction and Film* (College Station: Texas A & M Press, 1980).

belief that Mexicans could not maintain a republican government. Ambitious plans to carve out a new republic from the settled portions of Mexico's frontier region depended, in some measure, on the pejorative views of Mexicans as soldiers and as local citizens. The arrogance of the men who organized and lead filibusters betrayed an almost total contempt for Mexicans. These racial attitudes viewed Mexicans as inept, cowardly and depraved. Even when expeditions failed newspapers exulted the efforts of adventurers who targeted *Mexicano* neighbors to the south, underscoring the attitudes that found any effort to dominate Mexicans and parts of Mexico as praiseworthy.

# 4. "HE HAD DEFEATED THE GRINGOS!"

> The many guerrilla wars in history have their points of difference, their peculiar characteristics, their varying processes and conclusions, and we must respect and profit by the experience of those whose blood was shed in them.
> Mao Tse-tung[1]

As early as January 1859 Twiggs was concerned with the recent rise in attacks by Comanches. He was "determined to abandon the posts on the Rio Grande and place the troops on the frontier." Leading citizens of the Rio Grande frontier, however, sent a petition to the Governor, Secretary of War and the President, strongly objecting to the possible removal of federal troops from Fort Brown, Ringgold barracks, and Fort McIntosh. "We believe," the petition asserted, "if the post at Fort Brown and of Ringgold barracks were abandoned by the United States troops, the aforesaid bands of Mexican armed soldiers, highwaymen, and Indians, would cross into our Territory [sic], plunder our commerce, murder our citizens, and make desert our frontier." Twiggs had a very different view of the threat the Rio Grande frontier faced. Confident that the danger did not result from the Mexican population, on either side of the river, Twiggs argued that "the outcry on that river for troops is solely to have an expenditure of the public money." However, the petition, which had a number of prominent Spanish surnames among the over one hundred signatories, asserted that the lack of federal protection would mean a disruption of the mail, the circuit

[1] Mao Tse-tung, *On Guerrilla Warfare*, trans. Samuel Griffith, (Urbana: University of Illinois Press, 2000): 58.

judge, and the "unprotected commerce, which comprises many millions of dollars in specie coming out of Mexico per annum." Ultimately, they concluded, "violence will be frequent, and followed close on the removal of the United States troops."[2]

Already by the Fall of that year violence had erupted. At the center of the turmoil was Juan Nepomucena Cortina. Not long afterwards, Cortina would ride at the head of an invasion of Brownsville, sparking months of turmoil and earning for himself the umbrage of many prominent Anglos. Cortina would remain the focus of official and popular attention believed to be the author of a ring of cattle theft and border violence directed against the US in general and Cortina's personal enemies in particular. Cortina's most vociferous US detractors believed him to be an irresponsible and irascible leader who manipulated the prejudices of Mexico's poorest classes for unrestrained mischief against border Anglos. The crisis of cattle theft confirmed for many the unrestrained border war that grew in intensity by the mid 1870s, justifying, for example, the punitive attack on Las Cuevas orchestrated by Leander McNelly in 1875.

Cortina dominated the political landscape of the Lower Rio Grande Valley throughout most of the second half of the nineteenth century. He provoked dread among local citizens, challenged the authority of prominent political leaders and

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[2] U.S. House, *Difficulties on the Southwestern Frontier*, 36th Cong. 1st Sess., Ex. Doc. 52, pp. 5, 12-15

battled distinguished military figures of two nations. Cortina's enemies, such as Texas Ranger John Ford, disparaged him as the "Red Robber of the Rio Grande." Scholars have believed that *Mexicanos* celebrated him as a "noble avenger." Some, like Jerry Thompson, have portrayed him as "a high-stepping brush country *caudillo*."[3] In the forum of public opinion, the private councils of officials, and the tomes written by scholars Cortina has served as the archetype of the border bandit -the bête noire of the Greater Borderlands. Contemporaries and later historians limited their analysis of Cortina by constructing him as an archetype of the Mexican *caudillo* at the head of a system of Mexican banditry. However, the ambivalence with which Cortina was received and claimed by *Mexicano* communities on both sides of the Rio Grande challenge any easy explanations of the violence of the winter of 1859-60 and the turmoil that followed especially during the 1870s, as well as Cortina's role in it.

In this chapter I examine the turbulent tenure of Juan Cortina. I briefly review the most notable episodes of violence associated with, or more accurately, attributed to Cortina. In addition, I juxtapose what has been labeled the Cortina War with a brief discussion of Leander McNelly's raid on Las Cuevas. Sometimes referred to as the Las Cuevas War, the actions undertaken by McNelly have been viewed by scholars who celebrate the Texas Rangers as a necessary

[3] Jerry D. Thompson, ed., *Juan Cortina and the Texas-Mexico Frontier, 1859-1877* (El Paso: Texas Western Press, 1994): 1.

and successful response to the cattle raids under the direction of Cortina. Long been considered the mastermind behind a program of cattle theft, scholars designated the series of depredations under Cortina during the late 1870s as the Skinning War. Weather the Second Cortina War, the Skinning War, or the Las Cuevas War, the number of labels for the conflict demonstrated the ideological slippage that facilitated the criminalization and infantalization of *Mexicanos.* The Second Cortina War, or Skinning War, loosely reached its peak between 1871 and 1875. Porfirio Diaz's removal of Cortina from the border region in 1875 signaled the demise of Cortina and the violence attributed to his criminal empire.

Those knowledgeable on the subject of frontier conflict considered him the dominant protagonist in the unfolding narrative of border banditry orchestrated against the US prior to and after the US Civil War, having embodied all the attributes of the ill famed Mexican *caudillo*. In addition to exhibiting the negative portrayal charcteristics of *caudillismo*, Cortina's tenure on the border confirmed, for many, the political immaturity of *Mexicanos* and the Mexican political system, especially the arrogance, vanity, capriciousness, and cupidity exercised in the petty tyrannies of regional factionalism.[4] The very fact of

[4] Eric Wolf and Edward Hansen define the *caudillo* as a chieftain who emerged from the alliance between *criollos* and *mestizos* during the Wars for Independence in Spanish held colonies in the Americas. These "leaders on horseback" created political systems, or *caudillaje*, that developed around a strategy for claims to power characterized, as: 1) the repeated emergence of armed patron-client sets, cemented by personal ties of dominance and submission, and by a common desire to obtain wealth by force of arms; 2) the lack of institutionalized means for succession to offices; 3) the use of violence in political competition; and 4) the repeated failures of incumbent

identifying Cortina as a *caudillo* underscored the racialization operating in the interpretation of conflict and Cortina's role in it. After 1860 his mere presence excited local claims about the precariousness of life on the border, often igniting pleas for more formidable protection against "thieving Mexicans." Ultimately, most frontier denizens with means to make their views known attributed the border warfare throughout the period to Cortina and his dramatic sack of Brownsville in 1859.[5]

Despite Cortina's notoriety, his image, deeds and motives remain ambiguous. His political rivals, both military leaders and local officials from the Mexican side of the border, often supported his condemnation by Anglos. After 1860 they pointed to his US citizenship and represented him, whenever possible, as an American problem. The final report of the 1873 Mexican Committee of Investigation, for example, acknowledges Cortina as a dominant political figure,

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leaders to guarantee their tenures as chieftains. Central to the personal power of the *caudillo* is *machismo* or a marked "capacity to dominate females" and the "readiness to use violence." The *caudillo* possesses a unique ability to ascertain easily obtainable resources with the minimum of risk and opposition with the "'business acumen' of the North American entrepreneur." The political equilibrium of caudillisomo was always subject to dissolution by its own logic of fierce competition between rivals. The *caudillo* as a dominant form of politics ended in the 1870s and was replaced by "the dictatorships of 'order and progress.'" The "prototypical dictator" was embodied in the figure of Porfirio Díaz. Eric Wolf and Edward Hansen, "*Caudillo* Politics: A Structural Analysis" *Comparative Studies in Society and History* 9 (January 1967): 168-179. Given that Wolf and Hansen rely heavily on *machismo* as critical element of *caudillismo*, it is instructive to consider Américo Paredes critique of machismo. "The fundamental attitudes on which *machismo* is based (and which have caused so much distress to those wishing to pschoanalyze the Mexican) are almost universal." Américo Paredes, "The United States, Mexico and *Machismo*," in Richard Bauman, ed., *Folklore and Culture on the Texas-Mexican Border* (Austin: CMAS Books, 1993): 232-233.

[5] For an example of the currency of the negative views regarding Cortina, see U.S. House, *Depredations on the Frontiers of Texas*, 42nd Cong. 3rd Sess., Ex. Doc. 39.

but relegates him to nothing more than a foil for Anglo political ambitions and schemes. By refusing to celebrate Cortina, the Committee offered a more nuanced portrait of him while also seeking to reveal US duplicity and disingenuousness regarding its investment in border conflict.[6]

The attention to Cortina as a "border *cuadillo*" limits a more complex analysis of the political intrigue, economic competition, and racial strife that convulsed the region. It is worth noting Cortina's career coincides with many of the most significant turning points in the conflict between *Mexicanos* and Anglos during the second half of the nineteenth century. Cortina's personal history in the lower Rio Grande valley intersects with the intrigues of Anglo merchants and their legal accomplices in their concerted effort to displace *Mexicanos* from their land by politically marginalizing those who remained in the US after the war. Thus the resistance attributed to Cortina is a narrative that provides critical insight into the struggle between *Mexicanos* and Anglos seeking to control lucrative markets. In addition to *Mexicano* resistance to Anglo economic and political dominance, Cortina frames many of the severest diplomatic tensions between the two nations. Cortina was, without a doubt, a major element of the social war, at times prompting an increased military presence along the US-Mexico border given that each nation expended scarce resources to control him militarily.

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[6] *Reports of the Committee of Investigation, Sent in 1873 by the Mexican Government to the Frontier of Texas* (New York: Baker and Godwin Printers, 1875).

While Cortina captured the imagination of political and military leaders during the period of border conflict he has also dominated the imaginations of historians of the period and region. The literature treating Cortina and his exploits can be divided into four genres. The first consists of those authors who relied heavily on the memoirs of one of Cortina's bitterest rivals, John Salmon Ford. Authors such as J. Frank Dobie, Walter Prescott Webb and later Lyman Woodman represent Cortina as a ruthless bandit confirming the worst in Mexican depravity. In Cortina they encounter a *caudillo* with little regard for exploiting the worst prejudices of a simple people. Consequently, for these authors, he was unquestionably an architect of the lawlessness and violence of the region.[7]

General works that examine the *Mexicano*-Anglo conflict also portray Cortina as a notorious personage of the frontier. In these texts, Cortina appears simply as a bandit, who according to J. Fred Rippy "was the first conspicuous Mexican leader to raid the American border." For Rippy, Cortina represented the kind of political turmoil that "a weak, turbulent, bankrupt state with varied and valuable natural resources" would produce. Michael Webster more charitably accepts Cortina as a leader of a people who were forced to confront the violence associated with American manifest destiny. Dale Floyd Beecher, simply affirms

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[7] John Salmon Ford, *Rip Ford's Texas*, Stephen Oates, ed. (Austin: The University of Texas Press, 1963); J. Frank Dobie, *A Vaquero of the Brush Country* (Austin: The University of Texas Press, 1965); Walter Webb, *The Texas Rangers,* (Austin: The University of Texas Press, 1989); Lyman Woodman, *Cortina, The Rogue of the Rio Grande* (San Antonio: Naylor Co., 1950).

Cortina as prominent in the many episodes of violence that political leaders exploited "to further their own ends."[8] The texts that specifically treat the Texas Rangers, such as those by Webb, Frederick Wilkins, and Robert Utley, share a disparaging view of Cortina.[9]

A third, revisionist literature, provides a significant, if controversial reappraisal of Cortina's life. José T. Canales and Charles W. Goldfinch initiated a more sympathetic treatment of Cortina by painting a complex portrait of a dynamic and intelligent leader. Moreover, Canales and Goldfinch argue convincingly that Cortina was a convenient device for Brownsville merchants and residents to ensure that government contracts would continue to benefit the region, providing the pretext for garrisoning federal forces nearby. Robert Rosenbaum also casts a favorable light on Cortina and by extension the Cortina War, asserting that the conflict associated with Cortina illustrated the devotion of a traditional peasant community eager to follow a charismatic leader.[10] Chicano authors Pedro Castillo and Albert Camarillo, who shared Goldfinch's earlier

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[8] J. Fred Rippy, *The United States and Mexico* (New York: Alfred Knopf, 1926); Michael Webster, "Texan Manifest Destiny and the Mexican Border Conflict, 1865-1880," (Ph.D. Diss. Indiana University, 1972); Dale Beecher, "Incentive to Violence: Political Exploitations of Lawlessness on the United States – Mexican Border, 1866-1886," (Ph. D. Diss. University of Utah, 1982).

[9] Webb, *The Texas Rangers*; Frederick Wilkins, *Defending the Borders: The Texas Rangers, 1848-1861* (Austin: State House Press, 2001); Frederick Wilkins, *The Law Comes to Texas: The Texas Rangers, 1870-1901* (Austin: State House Press, 1999); Robert M. Utley, *Lone Star Justice: The First Century of the Texas Rangers* (Oxford: Oxford University Press, 2002).

[10] Charles Goldfinch and José Canales, *Juan N. Cortina: Two Interpretations.* (New York: Arno Press, 1974); Robert Rosenbaum, *Mexican Resistance in the Southwest, "The Sacred Right of Self-Preservation* (Austin: The University of Texas Press, 1981).

assessment, praise Cortina as a "social bandit." Relying heavily on Goldfinch's study, they present Cortina as a champion of his people determined to reverse the injustices suffered at the hands of corrupt, avaricious, and cowardly Anglos. Carlos Larralde introduces new primary sources to arrive at much the same conclusion as his Chicano colleagues.[11]

A somewhat different appraisal while still celebratory comes from Americo Paredes. Rather than simply celebrating Cortina as a bandit, Paredes attributes more complex political motives to him, introducing the critical issue of *Mexicano* dignity. "In spite of what has been written about him by most Anglos – and by some Chicanos as well—Cortina," Américo Paredes concludes, "did not take up arms to rob the rich and give to the poor." Paredes rejects portrayals of Cortina as a "'Robin Hood' of the Joaquín Murrieta type." Rather, Paredes stresses the political dimensions of Cortina's presence on the border. "What he was trying to give all Mexicans in Texas," Paredes asserts, "was *dignity and social justice*."[12]

A fourth less notable if somewhat ambivalent genre includes work that neither condemns nor celebrates Cortina. Jerry Thompson's work on Cortina and the well researched Master's Thesis by James Douglas offer a border figure who

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[11] Pedro Castillo and Albert Camarillo, eds., *Furia y Muerte: Los Bandidos Chicanos* (Los Angeles: Aztlán Publications, 1973); Carlos Larralde, *Mexican American Movements and Leaders* (Los Alamitos: Hwong Publishing Co., 1976).

[12] Américo Paredes, *A Texas-Mexican Cancionero: Folksongs of the Lower Border* (Austin: University of Texas Press, 1995): 23. Emphasis added.

was simply a *caudillo* pursuing his own self interest.[13] Thompson, one of the foremost scholars on Cortina, assesses Cortina as a prominent figure along the border who "was far from a sacrosanct saint." Yet for Thompson he "was a rugged, fearless, and at times ruthless, frontier *caudillo*," who "was a hero to his people." "Through all the sound and fury that was the history of Texas and Mexico," Thompson concludes, "this remarkable man established his niche in history."[14]

### *A Perfidious Inquisitorial Lodge To Persecute And Rob Us*

Cortina's first major act of defiance in September 1859 sparked an interest in his past. Just after the US-Mexican War Cortina is alleged to have murdered his employer and made away with the stock he was hired to drive to market in the US. The Cameron County grand jury indicted Cortina for "cattle stealing," later adding eleven more indictments with Starr County contributing an additional four. His most ardent enemies, such as Adolf Glaevecke, insisted that Cortina was an inveterate cattle thief. To the outrage of leading citizens who were able to make their voices heard on this matter, Cortina, on many occasions went about his business in the Brownsville-Matamoros area with impunity prior to 1860.[15]

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[13] Thompson, *Juan Cortina and the Texas-Mexico Frontier*; James R. Douglas, "Juan Cortina: El Caudillo de la Frontera" (M.A. thesis, University of Texas, 1987).
[14] Thompson, *Cortina and the Texas-Mexico Frontier*, p.8.
[15] *Reports of the Committee of Investigation, 1873*, pp. 127-128.

On July 13, 1859 Brownsville city marshal Robert Shears was in the process of arresting "a disorderly Mexican." While reposing in a café, Cortina witnessed the marshal pistol-whip the old gentlemen, a man who had once been a ranch hand for Cortina's mother, María Estéfana Goceascochea de Cortina. As Shears dragged his captive by the collar; Cortina rose and intervened on the prisoner's behalf. Cortina attempted to guarantee the old man's peaceful conduct, but was severely rebuffed by Shears. Cortina answered Shear's abuse by drawing his sidearm and putting a slug in the marshal's shoulder. Cortina, with his abused companion on the back of his horse, rode out of Brownsville, making little effort to conceal himself or to seek refuge on the other side of the river.[16]

Despite Cortina's boldness, no one pursued the matter further. Shears later testified that shortly after that Cortina had settled in Matamoros. After the incident Cortina made a number of overtures to compensate Shears for "the damages and pain" he sustained. Shears ignored Cortina's conciliatory gestures and the animosity between the two men grew. Ominously, in these messages Cortina informed Shears that "he was in command of a company of soldiers in Matamoros."[17]

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[16] U.S. House, *Troubles on Texas Frontier*, 36th Cong., 1st Sess., Ex. Doc. 81, p. 3.
[17] U.S. House, *Hostilities on the Rio Grande*, 36th Cong. 1st Sess., Ex. Doc. 21, p. 17; Thompson, *Cortina and the Texas-Mexico Frontier*, p. 81. U.S. House, *Difficulties on the Southwestern Frontier*, 36th Cong. 1st Sess., Ex. Doc. 52, p. 65..

On September 28, Cortina rode into Brownsville looking for Shears and others who had wronged him. At the head of some fifty men Cortina entered Brownsville well before daybreak.[18] Cortina and his men crossed the river and commanded the streets of Brownsville. They first went to the jail, demanding the keys from the jailer, Robert Johnson. Johnson ran to the home of his neighbor Viviano Garcia who made every effort to protect Johnson and prevent Cortina's men from entering his house. Despite Garcia's best efforts, they burst through the door killing Garcia and another unidentified *Mexicano* neighbor. Johnson was dragged outside and quickly dispatched. In the struggle one of Cortina's men fell and another was wounded. Cortina's men liberated the handful of prisoners being held in the jail.[19]

Cortina and his men searched for Adolphus Glaveacke, one of Cortina's principal enemies. Glaveacke hid in Samuel Belden's store narrowly escaping Cortina's wrath. Respecting Belden, Cortina chose not to pursue Glaveacke further. Shears, not present when Cortina burst into his home, also escaped Cortina's vengeance. Cortina's men disarmed the guards of the magazine and

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[18] The estimates of men with Cortina range from forty-five to one hundred.

[19] U.S. House, *Difficulties on the Southwestern Frontier*, 36th Cong. 1st Sess., Ex. Doc. 52, p. 21; *The American Flag*, Brownsville, (October 8, 1859).

made every effort to liberate one hundred and twenty five barrels of powder, but with little success.[20]

Not long after daybreak, the terrified residents of Brownsville assembled and just as quickly pleaded for the assistance of Matamoros' most influential citizens to intervene. Jose Maria Carvajal, Miguel Tigerina, Agapito Longoria, and others responded to their call and "by their entreaties the guerrillas were induced to leave." Carvajal came to the aid of the almost one hundred Anglo Brownsville residents by initially garrisoning a portion of the Mexican National Guard at Fort Brown. Carvajal and Cortina agreed that Cortina would withdraw to Matamoros. Cortina however moved his entire force to his own *rancho* just eight miles outside of Brownsville, crossing the river in small groups for fear of retaliation.[21]

Still apprehensive, Brownsville residents organized a Commission of Safety that deployed squads of twenty-two men each to patrol the barricaded streets of the city. Just days after the invasion, a number of Brownsville citizens wrote Governor Runnels and President Buchanan: "this man Cortinas [sic] is endeavoring to strengthen himself with his associates by arousing a feeling of hostility generally against all Americans, and thus give his operations a semblance

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[20] U.S. House, *Difficulties on the Southwestern Frontier*, 36th Cong. 1st Sess., Ex. Doc. 52, p. 32, 66; U.S. House, *Hostilities on the Rio Grande*, 36th Cong. 1st Sess., Ex. Doc. 21, p. 17.
[21] *The American Flag*, Brownsville, (October 8, 1859).

to the partisan guerilla warfare so common in Mexico itself."[22] The threat of a renewed effort by Cortina to raze the town of Brownsville compelled mayor Stephen Powers to once again request the aid of seventy of Matamoros' national guard on Saturday October 12.

Cortina's motivation for raiding Brownsville was to bring certain enemies of the Mexican people, by Cortina's reckoning, to justice. Two of the men killed during the invasion had recently been accused of murdering innocent *Mexicanos*, while the others were targeted because of their history of involvement in the despoiling of *Mexicano's* from their property. William Neal and George Morris, for example, had a reputation for victimizing *Mexicanos*. On November 21, 1859, W.P. Reyburn, the Appraiser General, reported to F. H. Hatch that William Neal "had shot a Mexican in the street of Matamoros, on account of jealousy, and by crossing the river had placed himself beyond the pale of Mexican law." A few months later he murdered yet another *Mexicano* in Brownsville "for the same cause." George Morris, another of Cortina's victims, "had perpetrated many Mexican murders." Robert Johnson had also been guilty of killing a *Mexicano* only months before his own death.[23] In the first in a series of *pronunciamientos* issued by Cortina, he claimed that the three Anglos who died were "all criminal, wicked men, notorious among the people for their misdeeds." Of those who

[22] U.S. House, *Difficulties on the Southwestern Frontier*, 36th Cong. 1st Sess., Ex. Doc. 52, p. 20.
[23] U.S. House, *Difficulties on the Southwestern Frontier*, 36th Cong. 1st Sess., Ex. Doc. 52, p. 65.

managed an escape, Cortina condemned them as "more unworthy and wretched, [for having] dragged themselves through the mire to escape our anger, and now, perhaps, with their usual bravado, pretend to be the cause of an infinity of evils, which might have been avoided but for their cowardice."[24]

Cortina made every effort to inform the residents of the Lower Rio Grande about the motivations and justness of his effort.[25] "An event of grave importance," Cortina wrote, "in which it has fallen to my lot to figure as the principal actor since the morning of the 28th instant, doubtless keeps you in suspense with regard to the progress of its consequences." Cortina's first public proclamation informed Valley residents of the motivations and objectives of Cortina's mobilization. "Our object as you have seen," the *pronunciamiento* informs the reader, "has been to chastise the villainy of our enemies, which heretofore has gone unpunished. These have connived with each other, and form, so to speak, a perfidious inquisitorial lodge to persecute and rob us, without any cause, and for no other crime on our part than that of being of Mexican origin; considering us, doubtless, destitute of those gifts which they themselves do not possess."[26]

Not content to allow Cortina's brashness to go unanswered Sheriff James Browne and a number of men rode out to Rancho del Carmen. They arrested

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[24] Thompson, *Cortina and the Texas-Mexico Frontier*, p.15.
[25] A complete collection of the proclamations issued by Cortina are contained in Thompson, *Cortina and the Texas-Mexico Frontier*.
[26] Ibid.,14-15.

Tomás Cabrera, considered to be one of Cortina's chief lieutenants. Outraged, Cortina demanded that leading citizens of Matamoros intervene and insure Cabrera's safety. Cortina warned that if Cabrera was not released Brownsville would suffer. Not long after, William Tobin and a company of rangers under his command joined the fray. The combined force under the direction of Tobin hung Cabrera.[27]

Early on Cortina enjoyed a number of small victories. On October 23, 1859 the Brownsville Tigers under the command of W. B. Thompson numbering some twenty men attacked Cortina at Rancho del Carmen. Although assisted by Colonel Laranca and portions of the Matamoros' National Guard including close to forty *rancheros*, the assault proved to be a disaster. Under the command of Captain Thompson the hastily organized troop was easily routed, losing a four pound howitzer and a field piece. Later, it was alleged that Mexican forces feigned hostility towards Cortina in order to make the surrendered heavy artillery pieces available to Cortina once they were abandoned in the field. However, a key factor in the defeat was the delay in ammunition arriving to the scene of the fight. It was later revealed that Glaveacke's failure to deliver it in sufficient time contributed significantly to the ignominious defeat.[28] On November 25, 1859 Tobin's forces along with volunteers from Brownsville and remnants of the

[27] U.S. House, *Troubles on Texas Frontier*, 36th Cong., 1st Sess., Ex. Doc. 81, p. 5.
[28] U.S. House, *Difficulties on the Southwestern Frontier*, 36th Cong. 1st Sess., Ex. Doc. 52, pp. 42, 44-45.

Tigers engaged Cortina at Santa Rita. Tobin at least succeeded in not losing their howitzer, but was still forced to quit the field in defeat. The early successes of Cortina and his force prompted the Brownsville *American Flag* to warn that Cortina "has good arms, and his men are under discipline, and fight with zeal."[29]

Cortina's fortunes turned for the worst when December 5, 1859 Major Heintzelman arrived in the lower Rio Grande. Heintzelman marched out of Fort Brown on December 14, 1859 at the head of one hundred sixty five federal soldiers. Tobin's Rangers and other remnants of the earlier militia force, totaling roughly about one hundred and twenty men, also joined Heintzelman. Cortina's men had been camped at La Ebronal but had already begun to break camp when Heintzelman and his combined force arrived on the scene for their first encounter. The small number of Cortina's men who had remained behind engaged the fast approaching combined force of federal troops and rangers. Tobin's rangers were reluctant to take the lead position, owing to their having been thrashed in their first outing against Cortina just weeks before. One ranger fell mortally wounded to eight of Cortina's men who were easily routed by the superior force.[30]

The war was drawing to a close with the devastating defeats suffered by Cortina at Rio Grande City on December 26 and, later, at La Bolsa on February 4, 1860. Ford and Captain Stoneman remained in the field, suspicious of the

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[29] *The American Flag*, Brownsville, (October 8, 1859); "Comisión Pesquisidora de la Frontera Norte;" Archivo Historico "Genaro Estrada", Secretaria Relaciones Exteriores, Mexico, D.F.
[30] U.S. House, *Difficulties on Southwestern Frontier*, 36th Cong., 1st Sess., Ex. Doc. 52, pp. 86-90.

cooperation Mexican officials might offer. It was believed that Cortina enjoyed the full support of *Mexicanos* on the other side. Despite this charge, Cortina's forces encountered a number of obstacles in Mexico as, for example, when the Alcalde of Mier refused to allow thirty of Cortina's men to march through the main plaza in January 1860.[31]

Ford, under the pretext of hunting for Cortina, orchestrated a series of raids into Mexican territory for the purpose of provoking a military response from Mexico. Although Cortina appeared to be routed and his forces scattered, ranger Ford insisted on pursuing him into Mexico. Believing that fellow countrymen were facilitating his raiding, Ford rode into Las Palmas on February 5 and at La Mesa on March 17. Ford claimed that he had permission from select Mexican officials, suggesting that they were cooperating in the eradication of the Cortina threat to the frontier.[32]

Ford continued his hunt for Cortina, crossing his command just below Edinburg, intent on riding into Reynosa and taking a number of Cortina's most notorious followers reported to be in the town. Reynosa, a town noted for its "rather strong anti-American feeling," was well aware of Ford's conduct at Las Palmas and La Mesa just months before. When Ford rode into Reynosa on April 4, 1860, well-armed *Mexicano* forces surrounded his entire command. At a

[31] John Salmon Ford, *Rip Ford's Texas*, Stephen Oates, ed. (Austin: The University of Texas Press, 1963): 276.
[32] Ibid.

considerable disadvantage, Ford narrowly escaped to the American side of the river, just below Edinburg, believing it prudent to await further instructions from Colonel Robert E. Lee. The Colonel had just arrived at Fort Brown on April 11 and immediately took command of all the forces in the field. Lee reproached Ford for entering Reynosa intent on causing mischief.[33]

The Cortina War, like most conflicts, has been designated with a beginning and end point, a period constituting the war. In the case of the conflict associated with Cortina, the dates given are dependent on the main battles, confrontations that took place on the field, such as El Ebronal, La Bolsa, etc. Overlooked in the case of Cortina are the events that follow the most conventional engagements. Especially ignored have been the skirmishes that took place after the war. The events following the confrontation at La Bolsa expose the critical processes of naming and narrating the war, an essential aspect of the concomitant symbolic violence that accompanies physical violence. Lee's arrival signaled the temporary end of the "quasi war."

Reflecting on the Anglo show of force after La Bolsa, Ford opined that Major Heintzelman, Captain Stoneman and himself "were thoroughly convinced of the complicity of the Mexican authorities on the Rio Grande in the war prosecuted by Cortina against the United States." Following Lee's arrival, Ford

[33] Ibid., 299.

wanted to pursue the conflict, hoping to keep pressure on Mexico for political purposes. Ford was explicit about his own motives:

> In order to put an end to this quasi war, or to cause it to expand into actual and open hostilities between the two governments, we descended upon Reynosa. An armed collision was, in our opinion, sure to cause the prompt inauguration of hostilities or a settlement of the matter and ultimate peace.

Ford made no apologies for his conduct and the execution of his orders believing that "our action was in the direction of protection to life and property, and of the vindication of the rights and the honor of our government, and that it would sanctioned by a patriotic people." Ford's patriotism extended to his concern regarding the increasing sectional strife then plaguing the nation. Remarkably, Ford believed that a war between Mexico and the US, had it been precipitated as a result of chasing Cortina, would have "stilled for a season at least" the sectional strife then consuming the nation.[34]

The turmoil surrounding Brownsville prompted Governor Sam Houston to appoint Angel Navarro and Robert Taylor to form a commission "to investigate the causes, origin, and progress of the disturbances upon the Rio Grande river." On February 15, 1860 Navarro reviewed the events authored by Cortina. They reported to Houston the conditions across the border that allowed Cortina to operate with a degree of support they found alarming. Arriving at the same conclusion as many officers in the field, Navarro surmised that given the political

[34] Ford, *Rip Ford's Texas*, pp. 304-305.

turmoil in Mexico and the ill feeling towards Americans, "this boundary line is worse than an imaginary one, and, to defend what we already possess, it is necessary for us to adopt a line of defense west of the Rio Bravo."[35]

Cortina's activities during and after the US Civil War are less well known and do not alter the narrative of his role in the border. By June of 1860 Cortina escaped into the Burgos mountains, resurfacing briefly after an attack on Carrizo on May 23, 1861. The unfolding of the French Intervention further complicated Cortina's activities during the US Civil War. During the resistance against Maximilian, Cortina enjoyed notoriety as a prominent military and political figure in Tamaulipas. Cortina's military alliances and service resulted in his rise from a lieutenant colonel to governor of the state of Tamaulipas. Cortina, in his official capacity, attempted to eliminate theft and banditry when possible. Despite his efforts, his career along the border was marred by accusations of unrestricted personal ambition fueled by the animosity directed against him by notable Anglos across the river.[36]

Cortina continued to dominate the lower Rio Grande political landscape allegedly as the sole mastermind of the cattle rustling that plagued the frontier. Political leaders in Washington and Texas insisted Cortina was the leading figure responsible for the countless raids on local cattle.

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[35] U.S. House, *Hostilities on the Rio Grande* 36th Cong. 1st Sess., Ex. Doc. 21, pp. 9-10.
[36] *Reports of the Committee of Investigation, 1873*, pp. 148-153.

In the summer of 1876 Gustave Schleicher addressed the United States Congress requesting "the protection of the Texas frontier on the Lower Rio Grande." "Few of known, and it will be difficult for many to realize," exhorted Schleicher, "that for ten years a portion of these United States has been overrun continually by invading bands of robbers from Mexico and that our people in the border country have for years been suffering all the losses and dangers to life and property incident to a state of war and invasion."[37] The combined raids came to be known as the Skinning War. The narration of events focus on the depredations committed by bandit notables such as Alberto Garza and other unnamed marauding bands. Despite the prominence of other notable "bandits" such as Garza, Cortina remained the pivotal figure throughout the period.

### *The Las Cuevas War*

The excitement of the Nueces town raid was quickly overshadowed by paramilitary operations at Las Cuevas. Historians represent the Nueces town as a pretext for retaliatory efforts directed by Leander McNelly. The chain of events began with Governor Richard Coke's response to Sheriff McClane who pleaded for protection. Coke dispatched McNelly to the scene who set up headquarters at Brownsville, on June 12, 1875.

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[37] "Protection of Texas Frontier, Speech of Hon. Gustave Schleicher of Texas in the House of Representatives, June 30, 1876," (Washington, 1876): 3.

Upon arriving, McNelly and his men found a party of *Mexicanos* with two hundred sixty five head of cattle at Palo Alto. With little hesitation, McNelly and his men cut down twelve, losing one of their own. McNelly's attack on the *Mexicano* drovers did not go unanswered. According to Assistant Adjutant General William Whipple, a larger party of Mexican soldiers crossed over to rescue them.[38] However, two companies of Buffalo Soldiers arrived on the scene in time to deter the *Mexicano* relief force. Confronted by the larger American force they "retired quietly to the south side of the Rio Grande." Historians of the rangers celebrate McNelly with little mention of the support made available by Buffalo Soldiers, highlighting McNelly's actions as a series of justifiable chastisements against unruly Mexicans.[39]

A critical aspect of the Las Cuevas war concerns intrigue instigated by McNelly with the assistance of Lieutenant Commander Kells. As early as June 3, 1875 Ord requested General Philip Sheridan to send an iron clad ship to the mouth of the Rio Grande to patrol the river for "marauding bands." President Grant agreed with Ord's request and commanded the Secretary of the Navy to deploy the *Rio Bravo.* Lieutenant Commander Kells arrived in Brownsville to take command of the iron clad. According to Michael Webster, Kells made his

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[38] U.S. House, *Report and Accompanying Documents of the Committee on Foreign Affairs on the Relations of the United States with Mexico*, 45th Cong. 2nd Sess., Report 701, Appendix B "Mexican Border Troubles," p. 135.

[39] W. H. Leckie, *The Buffalo Soldiers: A Narrative of the Negro Cavalry in the West*. (Norman: University of Oklahoma Press, 1967): 111.

way to the Low Rio Grande valley with every intention of staging an incident and provoking Mexican nationals to fire upon US soldiers. His goal was to incite a war, providing the pretext for the occupation of a portion of the coveted northern territory. Lacking any discretion and disobeying direct orders, Kells quickly revealed his intentions in the pubs of Brownsville. Before departing for Brownsville, Secretary of the Navy George M. Robeson had given Kells explicit orders "to avoid any act which might be made a just subject of complaint on the part of the Mexican Government."[40] Kells' indiscretion and arrogance underscored the attitude shared by many that it was possible to precipitate an international incident with little or no difficulty. Many prominent Anglos believed that such a course of action would terminate cattle raids.[41] McNelley agreed with Kells as did Ord and a number of Ord's line officers. The rangers and Navy man deliberated over a number of possible plans. Kells eventually proposed that McNelly drive a herd of cattle to the Las Cuevas ranch, providing the pretext for an attack on a suspected force of Mexican outlaws at the ranch. Not surprisingly, the target was Las Cuevas, a ranch that had long been believed to be, as Webster described it, "the notorious refuge of Mexican raiders, which Texans considered the headquarters of Cortina's organization of cattle thieves." Although

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[40] Michael G. Webster, "Intrigue on the Rio Grande: The *Rio Bravo* Affair, 1875," *Southwestern Historical Quarterly* 74: 2 (October 1970): 156.

[41] John Ford had also assumed such a course of action when he orchestrated a series of quick raids during the end of the First Cortina War.

acknowledging McNelly's and Kell's nefarious actions historians have been reluctant to evaluate the "scheme" as anything more than the kind of daring for which rangers are renown, an act of bravado that McNelly would be celebrated for years to follow. According to Webb, for example, McNelly "had some deep scheme in mind," and that McNelly's intentions were "to bring on a war with Mexico." Webster agrees with Webb, suggesting it was "a daring intrigue on the part of the United States citizens to manufacture a war with Mexico."[42]

On November 8, 1875 Kells and McNelly set out on the *Rio Bravo* ostensibly to intercept "a suspected crossing of cattle." Unfortunately, the *Rio Bravo* grounded not long after launching. The brief delay enabled US Consul, Thomas Wilson to send a number of frantic telegrams informing Washington of the provocative expedition that Kells had begun. Wilson believed the crossing was completely contrived and immediately set in motion the chain of command that eventually forced Kells to stand down. Wilson's work also prevented other squads in the area from crossing the river. On November 15 Commander George Remey relieved Kells of his command.

Despite the initial failure of their plan, McNelly persisted in his efforts to ignite a cross border conflagration. It was not long before McNelly had an opportunity to cross to the other side for mischief. In mid November, while out on patrol, Captain Randlett spotted and gave chase to cattle rustlers with two hundred

[42] Webster, "Intrigue on the Rio Grande," p. 158, 149.

fifty head of stolen cattle to the river's edge. Clendenin arrived shortly after, demanding the cattle be returned. Clendenin's order was not complied with, allowing McNelly an opportunity to take advantage of the moment. McNelly impatient with the progress of Clendenin's strategy, prepared to crossover to the other side at 1 a.m. Eager to take full advantage of the situation, in the early morning hours of November 19, McNelly and twenty-nine rangers forded the Rio Grande intent on punishing the men gathered at the Las Cuevas Ranch.

In preparing the pre dawn raid, McNelly had ordered his men to "kill all you see except old men, women, and children." Just after crossing McNelly's ranger company fell upon a small hamlet, surprising men chopping wood and women preparing the morning's meal. McNelly's pre-dawn raid unfortunately descended on Las Cucharas, not the Las Cuevas ranch that was their intended target. At Las Cucharas, the rangers ran pell-mell into the small community, striking down twelve men and women. William Callicott, one of McNelly's rangers, later explained that "many of the men were on their woodpiles cutting wood while their wives were cooking breakfast at Las Cucharas on little fires out of doors." McNelly later reported that four had been killed before a woman informed them they were at the wrong ranch. "Before daylight on 19th," explained McNelly, "I started for the ranch, found what I supposed was the Cuevas, charged it, found five or six men there, and they seemed to be on picket. We killed four of

them and then proceeded on my way to Cuevas (a half mile distant) and about three miles from the river." Callicott later recalled, "we shot the men down on the woodpiles until we killed all we saw in the ranch."[43]

McNelly and his men proceeded to Las Cuevas, despite having lost the advantage of surprise by attacking an innocent settlement. They laid siege to the ranch until forced to retreat against a fast approaching force of *rancheros* and local police. Falling back to the river, McNelly and his men took a defensive position on the bank and quickly set up pickets. The concealed rangers ambushed Juan Flores, at the head of a small scouting party that unwittingly stumbled into the ranger's sights. Flores was believed to be a leader of the group and one of Cortina's "favorite bravos." During the ambush of Flores and his men, Randlett crossed with forty regulars from the Eighth Cavalry to support McNelly and his men.[44]

The next day a white flag of truce was raised. Randlett arranged with Camargo authorities to suspend hostilities until 9 a.m. the next morning. On November 20, Major A. J. Alexander conferred with the *alcalde* of Camargo who informed him they would deliver the requested stolen cattle. Later that afternoon, they presented seventy-six head of cattle. Impatient and still unsatisfied, in the course of the negotiations McNelly threatened to attack the ranch if the stolen

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[43] Webb, *The Texas Rangers*, pp. 262-265.
[44] Webster, "Intrigue on the Rio Grande," pp. 161-162.

animals and those guilty of the theft were not immediately handed over to American forces. Afterwards, thirty-five of the stolen cattle were driven to the Santa Gertrudis ranch of King. "From the best information I could get," Alexander later reported, "seven of the thieves and their confederates were killed, and a number wounded. One of these men was killed by the Mexican authorities while taking him to the jail at Camargo, and another was hung by Mexican rancheros living on this side."[45]

***You Will Order Cortina To Be Removed From This Frontier***

The majority of episodes of violence, especially the more prominent ones, were often attributed to the evil influence of Cortina. He was believed to be the mastermind of the depredations that formed part of the "quasi war" along the border. Many contended that Cortina was the head of a cattle syndicate that was designed deliberately to thwart American settlement in the region.

The interpretation and focus on Cortina revealed deeply held attitudes and opinions regarding *Mexicanos* in general and *Mexicano* authorities specifically. For Anglos Cortina was a synecdoche for cattle theft. He also symbolized the Mexican official who would stop at nothing to fill his pockets with lucre. Mexican authorities were deprecated for their avarice, incompetence, cowardice and collusion with freebooters, who it was claimed populated the entire region. In

[45] *Committee on Foreign Affairs*, Report 701, "Mexican Border Troubles," p. 147.

fact, many simply accepted as fact that communities directly on the other side of the river lived solely off plunder.

Counter to the common sense of the time, a number of *Mexicanos* opposed Cortina's presence in the region. Despite Anglo suspicion of Mexican officials who were often accused of gross indifference, unspeakable incompetence or avaricious collusion with the "banditti," many prominent *Mexicanos* on both sides of the river challenged Cortina. If *rancheros* were not actively taking part in "the border troubles" they were considered to be in league with Cortina by facilitating a conspiracy of pirates. In some cases, these were the same *Mexicanos* who were locked in racial animosity with newly arriving Anglos and Indians.

Cortina's demise in the narrative of border conflict coincided with Porfirio Diaz's own successful *golpe de estado* in January 1876. Diaz's commitment to American business interests had earned him substantial and badly needed funding. It also made possible the tacit support of key line officers and even the commander of the military district to send well-armed troops in pursuit of political exiles agitating against his regime. Both the implicit and explicit support allowed Diaz to defeat Lerdo, who according to Hart, had been waging a guerrilla war that severely depleted Diaz's treasury and exposed his dwindling support.

The elimination of Cortina helped establish Diaz's control in the north and ease US diplomatic pressure. John Ford was explicit:

> Díaz asked if the Americans would loan him cash. He was told 'you are no doubt fully aware of the trouble that General Cortina is causing on this frontier…. If you will give your word that, if successful in the revolution you are about to inaugurate, you will order Cortina to be removed from this frontier, Americans will loan you money.' General Díaz gave his word. He obtained money from American citizens…. General Cortina has been under surveillance for nearly twenty years. Can any gentlemen dare say President Díaz has not fully redeemed his pledge?[46]

It was, according to Hart, prominent entrepreneurial and industrial interests, especially railroad, under the leadership of King that organized the support for Diaz. His commitment to put an end to the "border troubles" meant a boon of US investment opportunities. King, who purchased $30,000 in Mexican National Railroad stock, promised Diaz additional financial assistance if he would rid southern Texas of the troublesome Cortina."[47] Once Diaz successfully claimed power, he addressed the border troubles by quietly allowing US military to cross into Mexico while in pursuit of alleged cattle rustlers although he publicly expressed outrage at US crossings. Later, after Treviño and Ord established a cooperative relationship, Diaz made his policy more public and became more openly conciliatory to the US by agreeing to reciprocal crossing rights. Diaz forced Cortina to return to Mexico City or face sure death, allowing him to live out his days under house arrest.

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[46] John Mason Hart, *Empire and Revolution: The Americans in Mexico Since the Civil War* (Berkeley: University of California Press, 2002): 66.
[47] Ibid., 65.

Hart argues that although the cattle raids were associated with Cortina, they were primarily, and most importantly, primarily directed at the financial interests of King and many of his associates. Cortina resented the loss of communal lands that Sabas Cavasos and others made available to ambitious entrepreneurs like King. Cavasos, according to Hart, had taken advantage of certain *ejiditarios* under dispute and illegally appropriated vast tracts of ranch land that he and his associates made available immediately following the US-Mexican War. Cavasos had also consistently supported Anglo mercantile and industrial ambitions both during and after the American Civil War.[48]

The investigations organized in the wake of the violence and subsequent scholarship that highlighted Cortina's predations has been complicit with state interests attempting to attribute conflict exclusively to a few powerful individuals. Even though Cortina may have believed himself to be the *caudillo* of South Texas that would, as Thompson informs us, "abolish the evils of Anglo-American barrister shenanigans, and restore Mexican authority north to the Nueces River and perhaps beyond," the fact remains that Cortina did not operate alone. The

[48] I am inclined to agree with Hart's research regarding the nefarious role played by Cavasos. Armando Alonzo highlights Cavazos as an example of a successful *ranchero*, the type with small to medium sized holdings that dominated Mexican ranching in the region. *Rancheros* such as Cavazos, according to Alonso, successfully managed their herds and negotiated expanding market opportunities more by cooperation than by conflict with Anglos. Hart's work, however, clearly posits *rancheros* such as Cavasos as a critical element in facilitating the appropriations made by ambitious men like King. Alonso's work relies on a narrow view of cooperation and accommodation denying any complexity or contradictions among *rancheros*. Armando C. Alonzo, *Tejano Legacy: Rancheros and Settlers in South Texas, 1734-1900* (Albuquerque: University of New Mexico Press, 1998).

conflict that Cortina's life narrates was endemic to the borderlands. Nor was it limited to the US-Mexico border, it also marked the political tensions between Mexico's center and periphery throughout the long nineteenth century. Moreover, it reflected the competition between the emergent north where the *norteno* culture flourished and that of the center, always suspicious of the Mexican *ranchero* whose direct contact with American expansion compromised him in the eyes of his southern compatriots. Although Cortina functioned as a symbol of Anglo-Mexican conflict, his role was only one part of a more complicated process of border warfare.

# 5. "THEIR HEADS WOULD HAVE TO DANCE ON THE SANDS!"

> To rebel was indeed to destroy many of those familiar signs which he had learned to read and manipulate in order to extract a meaning out of the harsh world around him and live with it. The risk in 'turning things upside down' under these conditions was indeed so great that he could hardly afford to engage in such a project in a state of absent-mindedness.
>
> Ranajit Guha[1]

As the nation's attention turned to St. Louis and other major cities during one of its most violent general strikes, Generals William Sherman, Phil Sheridan, and Edward O. Ord, along with Governor Richard Hubbard worried about the "Texas Troubles."[2] "Banditry," especially cattle theft and a series of raids believed to be ordered by Cortina himself, and increased "Indian depredations" understood to have originated from Mexico, were so troublesome Ord was authorized to cross into Mexico in pursuit of depredators on June 1, 1877. While the region's military and political leaders concerned themselves with south Texas, few people paid much attention to the violence erupting in the western part of the State. Few concerned themselves with the tensions that resulted from Judge Charles Howard's brazen efforts to privatize nearby salt flats that had been available to the *Mexicano* community "from time immemorial." *Mexicanos* not

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1 Ranajit Guha, "The Prose of Counter-Insurgency" in Nicholas Dirks, Geoff Eley and Sherry Ortner, eds., *Culture/Power/History: A Reader in Contemporary Social Theory* (Princeton: Princeton University Press, 1994): 336.

2 Robert V. Bruce, *1877: Year of Violence* (Chicago: Elephant Paperbacks, 1989): 263. See also Thomas A. Scott, "The Recent Strikes," *North American Review* 125 (September-October 1877): 351-362.

only objected to Howard's prohibitions regarding access to salt, they also demanded the punishment of those who had transgressed the law and local custom. Howard's brutal murder of Louis Cardis, a prominent political leader and ally of the *Mexicano* community, angered local residents but generated little concern by officials outside of El Paso. Thus, the five-day gun battle in the streets of San Elizario in December of 1877 between *Mexicano* citizens militia, Howard and his allies, and a company of Texas Rangers shocked a nation. Once the nation learned of the capture of the ranger force and the public execution of Howard along with two successful local merchants, John Atkinson and John McBride, many believed war with Mexico was imminent.

Most authorities knowledgeable on the region had little doubt that *Mexicanos* from the other side of the boundary were most certainly involved. The assumed participation not only raised the specter of an international crisis, but also suggested a race war loomed on the horizon. Convinced a long anticipated invasion from Mexico was imminent, local officials quickly decided to reestablish political authority over the predominantly *Mexicano* population of Ysleta, San Elizario, Socorro and outlying areas. Still others, especially the majority of the eighty Anglos who recently claimed El Paso as their home, could only worry for their safety and pray that the violence aimed at some of their countrymen would not result in the devastation of the region. As in other episodes of violence, the

San Elizario Salt War was the occasion to renew petitions for military protection. Pleas for federal forces were especially troubling since Fort Bliss had just recently been decommissioned. Colonel Edward Hatch would later report "the troubles have occurred since removal of the garrisons from El Paso and Quitman by the Department Commander of Texas."[3] Later, General Sheridan would claim he "never recommended the abandonment of Fort Bliss," insisting that the papers were processed during his absence.[4]

In this chapter I re-examine the San Elizario Salt War. Previous studies have overlooked the critical fact that *Mexicanos* played key roles on both sides of the battle lines. Moreover, Anglo allies could be counted among each faction. Despite the porousness of racial, and by extension class, boundaries, I argue the Salt War remains an important *Mexicano* resistance. Less a riot, mob action, or even a community revolt, the actions by *Mexicanos* amounted to an insurgency. The leadership, organization, and objectives resisted physical containment and political control. An insurgency better describes a diverse but organized portion of

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[3] Letter of Hatch to Headquarters, October 11, 1877, "Disturbances at El Paso, TX September 1877-May 1878;" "Special Files" of Headquarters, Division of the Missouri, Relating to Military Operations and Administration, 1863-1885; Roll 14, (Microfilm Publication M1495); National Archives and Records Administration, Washington D.C. Hereafter cited as "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14.

[4] Sheridan to Headquarters, October 23, 1877, "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14. Lt King and his fellow officers on the Board of Investigation all agreed that the troubles at El Paso might have been avoided if for the presence of a garrison. Although Jones had chosen to contest the Majority Report, he also concurred that the lack of federal troops played a major factor in the unfolding events. Both reports recommended the stationing of troops at Ft. Bliss. Sheridan had already begun the process of re-garrisoning troops at the pass.

the *Mexicano* community, a population that has been rendered mostly invisible in the multiple and competing interpretations of the events of that winter and the larger discourse of frontier defense. I suggest that the events of that winter amount to an "insurgency" that was undertaken primarily by *Mexicanos* in order to hold on to commons, restore their waning political authority, and reclaim their collective dignity in the face of Anglo excesses in the context of the imposition of Anglo capitalist material and social relations.

I take up the Salt War in this chapter by and the chapter that follows. In the first chapter I closely examine the micro history of the war, detailing the various stages of the conflict. Through careful attention to the "ethnography of resistance" I demonstrate the diversity of each faction and their mixed motives for battle. However, acknowledging the complexity of the conflict through a strategy of reading the conflict through historical ethnography does not minimize the excessive violence, or "outrages," by Anglos who had been defeated. Rather than narrate the number of beatings, theft, rapes and murder carried out by the rangers and a posse from Silver City, in the chapter that follows I examine the brutal reprisals that followed the street battle. I examine the violence visited upon innocent *Mexicanos* by closely investigating the local, state and federal investigations that followed the actual fighting. The fruits of these investigative

efforts allowed Anglos to regain control of the meaning of the story of the Salt War, further establish political control, and criminalize *Mexicanos*.

The San Elizario Salt War has received only cursory attention from scholars. For some it easily fulfilled the pretensions of a war, evoked the fear of a race riot, or was easily dismissed as the undisciplined outrage of a Mexican mob. More importantly, scholars have tacitly agreed on the limited importance on the entire sequence of events that have been designated as the Salt War, including the deteriorating relationship between Cardis and Howard. Major John B. Jones, commander of the Texas Ranger Frontier Battalion who later played a key role in an investigation of the events, struggled to name the episode, explaining the events as a series of outbreaks or convulsions, including the "October mob," the "November riot," and the "December mob." Naturally, his designations and narrative stressed the criminality, spontaneity, and political immaturity he easily attributed to the *Mexicano* population.[5]

Ultimately, scholars of the West generally, and the US-Mexico Borderlands in particular, have been unenthusiastic about exploring the implications of the ignominious defeat of the famous frontier force and even less interested in recounting the violent reprisals by Anglos against innocent *Mexicanos* that followed. H. H. Bancroft simply narrates the events as not much

[5] Minority Report, Board of Commissioners Appointed to Investigate the Troubles in El Paso County, Texas; "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14.

more than "a serious trouble" of "perfidious Mexicans."[6] William Leckie regards the Salt War as "a small scale civil war" that only ended once the "battle toughened" Buffalo soldiers under the command of Hatch rode into the plaza of the dusty border towns and restored order.[7]

Scholars who focus on the Texas Rangers have offered especially problematic interpretations of the El Paso Troubles. While difficult to ignore as part of ranger history, it remains the only instance of the capture of a Texas Ranger company and as a consequence an undeniable blemish in the record of the Frontier Battalion specifically and the Texas Rangers as a whole. Eager to affirm Anglo dominance in the region, scholars of the rangers preferred to exalt Anglo subjugation of the "wild" and "degenerate" populations of the frontier. Thus, they had difficulty treating the defeat critically.[8] Two prominent and extended treatments of the Salt War are worth closer examination. It is important to note that they are flagrantly incestuous, further revealing the extent of racial bias. Both studies further expose the uncritical interpretations present in the public statements of Anglos on the scene. Charles Ward's "The Salt War of San Elizario, 1877" and Walter Webb's *The Texas Rangers*, share a number of pejorative

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6 Hubert Howe Bancroft, *History of the North Mexican States and Texas*, vol. 2, (San Francisco: The History Company Publishers, 1889).

7 William H. Leckie, *The Buffalo Soldiers, A Narrative of the Negro Cavalry in the West* (Norman: University of Oklahoma Press, 1967).

8 Walter P. Webb, *The Texas Rangers: A Century of Frontier Defense* (Austin: University of Texas Press, 1989); Charles Ward, "The Salt War of San Elizario, 1877" (M.A. Thesis, University of Texas at Austin, 1932).

assumptions in their interpretation of the events and their assessment of the people. These works provide a glimpse into the production of knowledge that serves state and market interests.[9] The narrative of the Salt War confirms for both men a fundamental truth of Texas history. Ward asserts that

> the incident adds another example of a maxim of Texas History -that Texans can whip almost any number of Mexicans as long as they keep to fighting, but are sure to lose when they begin to parley.[10]

Similarly, Webb informs his readers of the "axiom in Texas history that when a Texan fights a Mexican he can win; when he parleys he is doomed; and so it was in this case."[11]

Webb and Ward highlight El Paso's arrested development by pointing to geographic isolation, the relative size of the *Mexicano* population, limited commercial access to Eastern markets, unschooled *Mexicanos* who were unprepared for Anglo capitalism, and the constant threat of depredations by Indians and "bandits." An "isolated" region populated predominantly by *Mexicanos* would have "little or no sense of loyalty to the government" and possess only "the faintest understanding" of its legal institutions. The result would

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9 Charles Ward wrote his Master's Thesis under the direction of Walter Webb. Afterwards, Ward accused Webb of inappropriately making use of his study. On a number of occasions Ward appealed to Sonnichsen to intervene and remedy the situation but to no avail. Sonnichsen papers…

10 Ward, "Salt War," p. 135.

11 Webb, *Texas Rangers*, p. 360.

be a "race war" in which it would be as Webb proclaims, "rough sledding with the Mexican horde."[12]

A generation of scholars uneasy with the pejorative representation of *Mexicanos* in US history viewed the Salt War as a community upheaval for self-preservation common to the Mexican American experience. Rodolfo Acuña, the dean of Chicano history, proclaims the Salt War a "people's revolt." Similarly, Mary Romero questions the ethnocentric assumptions of manifest destiny by viewing the Salt War as a peasant revolt. Robert Rosenbaum declares the events as a struggle for self-preservation by *Mexicano* peasants unable and unwilling to assimilate into the Anglo dominant order, adding that the conflict was an example "of times when *Mexicano* frustration and rage coalesced into the collective violence of community upheavals."[13] Thus, Chicano scholars have placed the Salt War in the context of a protracted struggle by *Mexicanos* against the dispossession they faced immediately following the US-Mexican War.

### *The Problem with Salt*

In the final days of June, 1877, the salt question was taken up when Howard, John McBride, Ward Blanchard and "three colored men" formed an expedition to survey and claim the remaining portion of the Guadalupe Salt

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12 Webb, *The Texas Rangers*, pp. 345-346.

13 Rodolfo Acuña, *Occupied America: A History of Chicanos* (New York: Longman, 2000); Mary Romero, "El Paso Salt War: Mob Action or Political Struggle?" *Aztlan* 16 (1985): 139; Robert Rosenbaum, *Mexicano Resistance in the Southwest: "The Sacred Right of Self-Preservation*," (Austin: University of Texas Press, 1981): 64-65.

Lakes. Howard organized the expedition on behalf of his father-in-law George Zimpleman who had applied to locate sections with Memphis and El Paso Railroad certificates. Howard's efforts on behalf of Zimpleman were troubled in many ways, not the least of which was the Texas and Pacific Railroad Company contested Zimpleman's own claim to the railroad scrip.[14]

Howard should not have been surprised that people protested his efforts to "locate" the remaining portions of the Guadalupe Salt Lakes. Howard no doubt was familiar with the brief and turbulent history of salt in the region. Samuel Maverick had already located much of the salt flats, although Albert Fountain had contested his claim long. This initial struggle for salt occurred long before Howard anticipated riches from newly acquired salt.[15] *Mexicanos* had freighted salt from the San Andres salt beds eighty miles to the northwest of El Paso since 1824 and had to fight to maintain unfettered access to those as well.[16] The Guadalupe Salt Lakes, a hundred and ten miles to the east of El Paso, directed attention away from San Andres when a road made the lakes more accessible in 1863. The temptation to control the salt trade erupted into a number of conflicts

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14 U.S. House, *El Paso Troubles in Texas*, 45th Cong., 2nd Sess., Ex. Doc. 93, p. 51. Hereafter cited as *El Paso Troubles in Texas*.

15 Ibid., 127-8.

16 J. J. Bowden, "The Magoffin Salt War," *Password* 7:3 (Summer 1962): 106-110.

not long after the road had been established, dividing the entire community into the Salt Ring and Anti-Salt Ring with Fountain in the middle of the fray.[17]

Undaunted by previous failed intrigues to control salt, Howard's party set out with "three Mexicans" who according to him refused to proceed believing that the party would be "mobbed at the instigation of Louis Cardis." Before arriving at the salt lakes, Howard and his company stopped at Fort Quitman to survey two sections of six hundred forty acres adjacent to the fort, land presumed to be potentially rich in silver. After completing the Quitman survey, the party made its way to the salt lakes. At the lakes Blanchard surveyed three sections of six hundred and forty acres, each immediately adjacent to the Maverick property. As Zimpleman's agent, Howard claimed the property by posting "notices that all Salt Lakes belonged to him... warning people against taking salt without paying him for it."[18]

On September 29, Macedonio Gándera and Jose María Juárez set out to defy Howard's notice and challenge his bid to control the salt trade. Before they had even set out, these two "prominent Mexicans" found themselves standing before the bench of Judge Gregorio N. García.[19] Once in front of the magistrate, Gándera abandoned his earlier defiance, publicly denying any plans of freighting

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17 *El Paso Troubles in Texas*, pp. 128-9.
18 Ibid., 69-71.
19 Mills, *Forty Years at El Paso*, p. 143.

salt. Juárez, on the other hand, remained steadfast in his resolve. He defiantly proclaimed "in a very threatening and insulting manner to the court" that he intended to go for salt. García answered by ordering them to be held in custody and not released until payment of a two hundred dollar bond.[20]

Upon learning of the incarceration of Juárez and Gándera, forty to fifty residents of San Elizario and Ysleta gathered to free them both. They also petitioned Justice of the Peace Porfirio García to issue a warrant for Howard's arrest. Exasperated by the inactivity and resistance of the Garcías, the party arrested them both. The Garcías' intransigence also prompted the organized citizens to convene "a court of their own [in which they] tried them for wrongs (real or supposed) done to them and their American friends."[21] They also intercepted Howard who was en route to Austin, binding him in the back of a wagon. Sheriff Kerber was also disarmed and spirited away "to the camp of the insurgents" where he was held prisoner.[22]

Immediately, friends and associates of Louis Cardis alerted him that the Garcías, Howard and Kerber were in trouble. J. R. Mariani, another friend and associate, explained to Cardis that the "people took up arms." Mariani begged Cardis to intervene and to use his "influence to pacify the excited people." Cardis

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20 Ward, "The Salt War," pp. 44-45; *El Paso Troubles in Texas*, p. 106.
21 Mills, *Forty Years at El Paso*, p. 143.
22 *El Paso Troubles in Texas*, pp. 73; 142.

quickly made his way to El Paso and negotiated the release of all the captives including Howard. "I begged for his life with all my might," Cardis later wrote in his diary. With the assistance of Father Pierre Bourgade, the local parish priest, both men arranged the resignation by both Garcías; the posting of a twelve thousand dollar bond by Howard and the surrender of all claims to the Salt Lakes. Jesús Cobos, Tomas García, John Atkinson and Charles Ellis put up Howard's bond. It was also agreed that Howard be exiled from El Paso.[23] Under the escort of eight men on the evening of October 4, Howard returned to San Elizario in preparation to leave for New Mexico at dawn the next day.[24] Forced to flee to Mesilla, Howard had no choice but to feign relinquishing the salt lakes to the people of the valley communities. Captain Blair later reported that part of what may have motivated the incarceration of local officials was that it was alleged that the judge, despite being Mexican, was "under Howard's dictation."[25]

The situation alarmed the eighty Anglo American residents of Franklin. Telegrams reached the desk of civil and military authorities around the state. Although Kerber had escaped, he found himself powerless to do anything. He notified Governor Hubbard that "none of the American citizens are safe so long as

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23 *El Paso Troubles in Texas*, pp. 61, 73, 99; *Mesilla Valley Independent*, October 6, 1877.

24 Mills, *Forty Years at El Paso,* pp. 145-146.

25 Report of Capt. Thomas Blair, December 19, 1877, "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14.

we have no troops to enforce law and order."[26] Kerber also complained that he had difficulty raising a posse. Outraged at the detention of legally constituted authorities, Kerber informed Rucker that a military force was necessary to "disperse the mob" given that there were "not enough Americans living in the county to form a force sufficient for the purpose." Kerber confessed that US citizens of Mexican descent refused to "obey his summons to act as a posse." He insisted, "the Mexicans who are not with the rioters sympathize with them and cannot be relied upon."[27]

While Cardis and Bourgade were intervening in the troubles, Lt. Rucker learned of the disturbances. Lt. Rucker, accompanied by a local guide, proceeded to San Elizario in order to confirm the "various rumors." Unfortunately, twenty armed men escorting Howard stopped Rucker and his party en route. Rucker believed "that every American in the county would have been killed, had not their terms in Howard's case been complied with." Rucker noted that the men he saw appeared to be well organized and that it seemed that they "had been preparing for the events for sometime." He also believed that "their meetings were so secretly conducted that the civil authorities did not know anything about their

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26 *El Paso Troubles in Texas*, p. 142.

27 Report of Lt. Rucker, October 2, 1877, "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14.

movements."[28] On October 11, 1877 Edward Hatch reported that the lives and property of "english speaking American citizens" were not safe.

Military officials anticipating further tension assessed the *Mexicano* population and the role of *Mexicanos* from the other side. After receiving Rucker's reports, Brvt. Major General Pope informed Col. R. C. Drum, Assistant Adjutant General, "that it is possible that there may arise the difficulties apprehended by Lieut. Rucker and if so it will be judicious to have a force at El Paso large enough to prevent the intrusion of Mexicans from the Mexican side of the Rio Grande."[29] Both Pope and Rucker believed that Mexicans on the American side of the river, although U.S. citizens, would "sympathize, in any controversy, with the Mexicans from the south side of the Rio Grande and not at all with the American born citizens on this side." Any disturbance, Pope concluded, would be between "the combined Mexicans from both sides of the Rio Grande and the Americans." Notably, Pope commented that it would be "very

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28 Ibid.

29 Pope expressed concern regarding the possible complications that would follow if troops were sent and garrisoned in El Paso. Believing that once troops were stationed in the region it would be difficult to deploy them elsewhere on along the frontier of New Mexico and Colorado where they are already stretched thin, it being "impossible to get them away again or indeed to avoid constantly strengthening them." The reasons for the difficulty he confessed were "obvious and not strange to our experience." "If troops are sent there," Pope explained, "they will of course be kept there as the demands for them and the reasons therefor [sic], actual and imaginary or manufactured will increase with everyday of occupation."

difficult to discriminate in a riot, or other disturbance between those Mexicans who are citizens of Texas and those who are foreigners."[30]

Cardis continued to mediate. He also organized committees of safety and wrote Governor Hubbard to assuage his alarm.[31] Cardis was aware that telegrams and newspaper articles were circulating information about a *Mexicano* uprising, and that an armed invasion from Mexico was imminent. Cardis may have been referring to a communication Hatch had sent Rucker ordering the Lieutenant to "investigate whether or not it is true that the property of the United States are in danger on account of the afore-mentioned invasion." Since the presence of Rucker and his men caused some concern, Cardis assured his friends and neighbors that Rucker had no other intention but to "investigate the case and make his report to the General." He was confident that, "tranquility and peace and the truth will manifest itself in time."[32]

### *I'm Going to Kill Him Anyway!*

Cardis and Howard had connived earlier to profit from salt. However, their partnership quickly deteriorated leading to the thrashing that Howard gave Cardis in June. Wesley Owens, a servant of Howard's, recalled the day Howard and Cardis met at Fort Quitman. Before they departed on the surveying

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30 Letter from Pope to Drum, Nov. 7th, 1877, "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14.

31 *El Paso Troubles in Texas*, pp. 142, 62-63; Ward, "Salt War," pp. 55-56.

32 W. W. Mills, *Forty Years at El Paso, 1859-1898* (El Paso, 1901): 144-145.

expedition, not expecting to find Cardis at the fort, Howard had said to Owens: "Wesley, when I get back from Fort Davis, if Cardis don't let me alone I'm going to kill him. I'm going to kill him any way, for he has been bothering me long enough."[33] Howard found Cardis in the store and office of S. Schutz & Bro on October 10, 1877. Howard fired at Cardis hitting his exposed abdomen, just beneath the cover of the desk. They removed Cardis' lifeless body on a plank and discovered his pistol still in its scabbard and a blood-splattered missive Cardis had been writing to the citizens of Ysleta and San Elizario.[34]

Not long afterwards, Howard surrendered himself to Magoffin, the customs inspector. At the urging of Magoffin, Howard fled Franklin "to escape the vengeance of Cardis' friends."[35] Howard believed his troubles resulted from Cardis' insidious control of the *Mexicano* population. Just days prior to the assassination, Howard defiantly reported that the "reign of terror" which rocked the county resulted from "the work of one man, whose evil counsel [sic] for years has hung over the Mexican population of El Paso, like a pall." Howard explained to the readers of the *Mesilla Valley Independent* that *Mexicanos* were ignorant and envied Anglos. Howard insisted *Mexicanos* were easy prey for a man like Cardis

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33 *El Paso Troubles in Texas*, p. 59.

34 Mills, *Forty Years at El Paso*, pp. 146-147; *El Paso Troubles in Texas*, pp. 59-60; *Mesilla Valley Independent*, October 13, 1877.

35 Report of Capt. Thomas Blair, December 19, 1877, "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14.

who "fastened upon the unfortunate Mexican population... like a vampyre [sic], and has fed on their ignorance and prejudices."[36]

A number of witnesses noted the personal animosity that had developed between Howard and Cardis. Sheriff Kerber informed Governor Hubbard that Cardis "is considered here the commander of said mob." Kerber explained that Cardis "tells them in his speeches that they have the right to organize into armed bands if they think that they would not find justice." District Attorney, J. A. Zabriske also confirmed a general dislike of Cardis. He supported Kerber, asserting "it wasn't necessary" to formally charge and hold Howard since "if it was any other country but this a monument would be erected to his [Howard's'] memory for delivering us from a tyrannical, unscrupulous scoundrel." Major John Jones confirmed the attitudes of many of the Anglo witnesses, suggesting that Cardis had been after Howard –keen on destroying his business interests and even wanting him dead.[37]

In the end, the murder also exposed the partisanship that each man claimed throughout the community. Most Anglos were heavily invested in recuperating Howard's actions and overlooking his most flagrant transgressions by emphasizing the negative impact Cardis exercised on *Mexicanos*. Anglos and later scholars considered Cardis "Mexicanized" by virtue of his facility with the

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36 *El Paso Troubles in Texas,* pp. 142; 156; *Mesilla Valley Independent*, October 6, 1877.
37 *El Paso Troubles in Texas*, pp. 142, 156.

language and his own Italian heritage, a designation that made him suspect. Thus the political squabbles and economic competition between Howard and Cardis was veiled beneath the fabric of race.

### *Send Us Help for the Honor of the Gringos*

*Mexicanos* were indebted to Cardis assistance and recognized his value to the valley community. Angered by Howard's brazen disregard for the law and the loss of a respected leader, the citizens of the lower valley organized a "*junta*" made up of three representatives from each town. They met in Ysleta, the county seat, and agreed to "request the County Judge, G. N. García, to resign and in case of this refusal to compel him to do so." They offered the position to E. Stine "provided he would bind himself not to prosecute those who have taken part in the insurrection, and to prosecute Judge Charles Howard to the utmost." Stine declined the honor. He took the opportunity to remind his neighbors "that he or any other man who held the office must obey the law."[38] The junta insisted Howard be brought to justice and that the bond previously posted be relinquished.

Governor Hubbard had to attend to pleas from concerned Anglo residents. Howard's bondsmen reported that

> the mob have got together to arrest and kill and plunder Ellis, Cobos, Tomas García, Atkinson, Gregorio García and others. Some eight of ten of us have got together & will fight til [sic] we die; we are in Atkinsons [sic] house -send us help for the honor of the *Gringos.*

38 *Mesilla Valley Independent*, October 27, 1877; November 3, 1877.

Hubbard dispatched Jones to El Paso. He arrived on November 3 and immediately met with Howard and A. Fountain. Kerber warned Jones to "be on the lookout, Major -these greasers are very treacherous." Jones also arranged a meeting with the junta. With the assistance of Father Bourgade as translator, the *junta* informed Jones they were lawfully assembled. They also asserted that someone bring Howard to justice, otherwise they would. The junta made it clear to Jones that Howard's bond had been forfeited and that his bondsmen should be compelled to relinquish the twelve thousand dollar bond. Jones made every effort to dissuade them from pursuing any further course of action, advising them to "obey the law, go quietly and disband themselves." The junta presented a copy of the Constitution of the United States, reminding the Texas Ranger Commander of their legal rights of free speech, assembly and bearing of arms.[39]

Bourgade faithfully communicated the "tacitly or audibly expressed" opinion of the junta. Bourgade relayed to Jones that those gathered believed

> that in making arrest of Howard and the judges they were right, because they were the people and the people were the law; that for the same reason they were right in forcing Howard to sign his relinquishment of claim to the Salt Lakes [sic], and because they had no hope of collecting the forfeited bond in the courts, they had a right to take measures to collect it themselves by force.

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[39] *El Paso Troubles in Texas*, p. 154; Ward, "Salt War," p. 65; *El Paso Troubles in Texas*, p. 66.

Later that night, the representatives confronted Jones about the rumor that he was raising a company of rangers from the area. They asked that they be allowed to raise their own company with their own officers.[40] Ignoring the junta's concerns, Jones commissioned John B. Tays as a Lieutenant with a command of twenty-two men.

Before Jones organized the new force of rangers, he disbanded an already existing unit largely staffed by *Mexicanos*. Previous formations of Texas Rangers included companies of local men who were accustomed to responding as part of organized militia units to raids. These companies included Gregorio García, for example, a local resident who had previously led eighty men on an expedition against Apaches.[41] García later led a "captain of a company of rangers in 1871.[42] Another *Mexicano* resident, Telesforo Montes, had commanded a Minute Company for El Paso County throughout 1871-1876.[43]

Jones only empowered García temporarily "to call together as many as he could of the better class of Mexicans, to get them together and arm them, and hold them under arms… to preserve the peace." Once Jones replaced García with Tays and a new muster of rangers, García still made every effort to continue to assist

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40 *El Paso Troubles in Texas*, pp. 99-100.

41 James Day and Dorman Winfrey, *The Indian Papers of Texas and the Southwest, 1825-1916* vol. 4 (Austin: Pemberton Press 1966): 170.

42 *El Paso Troubles in Texas*, p. 43.

43 Day and Winfrey, *The Indian Papers of Texas and the Southwest,* p. 393

the new ranger force. García led a small squad of five men entirely on his own initiative. García's unofficial auxiliary unit helped protect Ellis' store before he and his command were forced to surrender.[44]

While Jones was busy re-establishing Anglo authority, Howard was determined to return to El Paso in order to pursue his claim on the salt lakes. During Howard's absence, he made sure to be in constant contact with Jones. In Mesilla, Howard made a futile attempt to enlist some local men to accompany him as an armed escort. Howard also demanded more efforts by the military to restore order. "If the governor don't help us," Howard defiantly proclaimed, "I am going bushwhacking."[45] Major Jones arranged for Howard's return on November 16. When Howard arrived, Magoffin quickly swore out a legal complaint and bonded him in the sum of $4,000. Magoffin pleaded with Howard, "for Lord's sake to stay away until the court met." Howard's incarceration was moot since according to Judge Blacker "there was no jail in El Paso County." After a few days in El Paso, Howard returned to Mesilla.[46]

On December 2, local *fleteros* gathered sixteen carts in order to freight salt from the disputed salt lakes to the valley communities. The *salineros* embarked from San Elizario, intending to return on the twelfth with their carts brimming

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44 *El Paso Troubles in Texas*, pp. 26, 37, 43.
45 Ibid., 154.
46 *Mesilla Valley Independent*, November 24, 1877; *El Paso Troubles in Texas*, pp. 154; 80; 124.

with salt. "People of this town and other towns, having nothing to live upon," explained Vidal García, resolved "to go to the Salt Lakes, get salt and take it into Mexico and trade it for provisions." The expedition numbered approximately twenty men mostly from San Elizario, since according to García, "the other towns for fear of Howard, retired from this arrangement." On the same day, Howard left Las Cruces and made his way to San Elizario determined to investigate the rumors of a salt lake expedition. News of the December freighting outfit also reached the governor who warned the men "to obey the laws and to respect civil authorities and the State military forces in El Paso." Directing his orders specifically at Francisco Barela, the governor insisted that "you can control your people, if you will, I'm informed. Do so."[47]

Tensions escalated while Howard had been exiled in Las Cruces. Much of the ill feeling towards local *Mexicanos* by Howard and his associates surfaced in the local tavern. Vidal García related that "friends of Howard," especially Atkinson, would get drunk and insult *Mexicanos*. "We resolved not to respond," García explained, "but to suffer these insults which were given [to] by Mexicans of this town at all times, whether drunk or sober." On December 11, San Elizario merchant and one time deputy sheriff, John Atkinson boldly declared to *Mexicano* residents of San Elizario that Howard, his business partner and political ally,

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47 *El Paso Troubles in Texas*, pp. 73; 144.

would soon arrive. "If they were men," Atkinson proclaimed, "the salt question would be settled." The following day, Atkinson, with considerable more courage, informed his *Mexicano* neighbors that "the heads of those who went to the Salt Lakes would have to dance on the sands." Atkinson also taunted Cipriano Alderette: "Look here, I have a few cartridges for use when Howard gets here." "Very well, we've got plenty," responded Alderette.[48]

Atkinson and Charles Ellis had a long history of antagonizing *Mexicanos*. According to El Paso attorney Edmond Stine they "both held responsible county offices for a number of years, and... made themselves very obnoxious at the time to a large part of the Mexican population."[49]

On December 12, Howard arrived in El Paso under the escort of four men from Tays' newly organized ranger company. He quickly filed "a writ of sequestration, commanding the sheriff to take the salt into his possession. Vidal García, brother of Judge Gregorio García and "friendly to the mob," explained that upon learning of Howard's arrival, the people "reunited with those from other towns and took possession of the streets."[50] Thinking "it was not safe for him to come with four men," Tays proceeded to meet Howard in El Paso. As Tays and twelve of his men made their way to El Paso, they encountered Chico Barela at

48 *El Paso Troubles in Texas*, p. 73, 66.
49 Ibid., 66.
50 *El Paso Troubles in Texas*, p. 73.

the head of a file of eighteen mounted men who let Tays pass.[51] Tays immediately dispatched Captain Thomas to Franklin to inform Blair of the movements of a possible force of resistance "from the other side of the river."[52]

Blair started for San Elizario late in the afternoon. Two miles outside of San Elizario, an armed man challenged Blair. As Blair approached, he saw another man disappear into nearby bushes. Within three hundred yards of San Elizario's main plaza, Blair testified he "was challenged and halted by not less than a dozen voices at the same time and from various directions." Blair positioned Lt. Payne and his men behind an adobe wall directly to the rear of him. The streets in front of Blair and his men were lined with men and ropes stretched across at intervals. Blair demanded to know "by what authority" they dared to halt him, insisting they had no right to interfere with an officer of the United States Army. He requested an audience with their captain. Despite his admonitions, the captain of their guard informed Blair "it was an affair of their own." Insisting that Blair had no role in the troubles, they explained "they were going to take Howard and if I attempted to interfere, he would resist me with his whole force."[53]

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51 Depositon, John B. Tays; "Motin de Mexicanos contra las autoridades Americanas en Isleta y San Elizario, Texas;" Legajo L-E-64; Archivo Historico "Genaro Estrada"; Secretaria Relaciones Exteriores, Mexico, D.F.

52 Report of Capt. Thomas Blair, December 19, 1877, "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14.

53 Ibid.

Blair estimated that there was close to three hundred fifty "sober and well organized well armed determined men, with a definite purpose." Aware of the level of organization and their own precarious situation, Blair withdrew. Blair later explained that his orders allowed for intervention only in the case of the involvement of Mexican nationals. Estimating that no less than one hundred fifty men surrounded him and believing his duty required that he return to Ysleta, Blair marched his troops out of San Elizario towards Ysleta.[54] "It was anticipated," Blair later reported, that "his [Howard's] appearance in San Elizario would be the signal for action on part of the Mexicans."[55]

The insurgents made it clear that they wanted Howard. Blair explained that he cared little for Howard. Blair revealed that he was in fact concerned for Lt. Tays. According to Blair, the men he spoke with agreed that Tays was a good man but that they could not understand why he was defending Howard -if he gave them Howard the whole affair would be over. Blair insisted that he was only fulfilling his duty. "This," Blair reported, "seemed a new idea to them, they had imagined he was a friend of or hired by Howard to defend him." They asked Blair if Tays was working under orders, to which, Blair replied "there was no doubt of it." Blair pressed further, inquiring why, if they had such a high regard for the US

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54 *El Paso Troubles in Texas*, pp. 108; 73; 56.

55 Report of Capt. Thomas Blair, December 19, 1877, "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14.

army, did they initially fire on his men. Blair discovered that they were simply following their orders to fire upon anyone who attempted to enter.[56]

The force of men that Blair encountered was by no means unified in its attitude to American authorities and its citizens. Blair reported that there were a number who wanted to hang him on account of his brief clash with them only days before. Chico Barela, who Blair identified as the principal leader, intervened and refused to allow the hanging. Blair and his men also discovered that at Socorro a detachment of men were waiting "to shoot us as we returned." Blair returned to El Paso by way of the Mexican side of the river "on the advise of some friendly ones."[57]

Prior to the street battle, on Tuesday, December 11, Tays had ordered Pablo Mejía to the Salt Lakes. Mejía returned two days later unable to join his comrades who had hastily commandeered quarters in buildings owned by Ellis. When Mejía discovered the precarious situation of his comrades, he quickly acquired a fresh horse and made his way to Mexico. He would not rejoin his command for five days, well after the worst of the fighting. During the street battle, Mejía traveled under cover of night on the Mexican side, "avoiding to be seen by the Mexicans, who knew me well." As Mejía rode on the Mexican side, keeping close to the river, he discovered "a great many camps of families in the

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56 Ibid.
57 Ibid.

*bosque*, where there were carts, wagons, &c [sic] camped." He discreetly avoided detection by any of the refugees who had left their homes for fear of their safety. Mejía estimated there to be a half dozen camps "on the other side" located just eight miles below San Elizario.[58]

Tays and Howard arrived in San Elizario at six in the evening. Upon arriving, Howard, Tays and the remaining rangers made their way to the store of Charles Ellis. Howard visited with Ellis and "Mexican friends [who] came to see him [Howard]." Tays had strategically posted men around Ellis' home, mill and store. The rangers converted Ellis's property, including the store, the detached storeroom and the corral into a makeshift fort by barricading the doors and windows and cutting portholes into the thick adobe walls. In the hastily commandeered quarters, Owens, Andrew Loomis, John McBride, and John Atkinson also gathered with Howard and the rangers.

Sometime around 10 o'clock Ellis decided "to have a talk with the Mexicans." Ellis armed himself with a revolver in his boot and set out for the main plaza to investigate further. Despite Howard's warnings not to go, Ellis left the security of the impromptu fort. Tays later testified that that evening the "Mexicans began to hallo [sic] and shout."[59] Ellis never returned to the security of

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58 Depositon, Pablo Mejia, "Motin de Mexicanos contra las autoridades Americanas en Isleta y San Elizario, Texas."

59 Depositon, John B. Tays, "Motin de Mexicanos contra las autoridades Americanas en Isleta y San Elizario, Texas."

his buildings. Days later Ellis' mutilated body was discovered in the outlying sand hills. The night passed with Tays and his men maintaining their vigil unaware of Ellis' fate.[60]

On the morning of December 13th, Tays discovered an organized force had taken strategic positions behind the thick adobe walls and rooftops of the town.[61] Howard and the others discovered that they lines of pickets squads of cavalry threatened the fort. According to the *Mesilla Valley Independent,* the force confronting Tays was highly organized:

> in point of fact... they have an excellent military organization, they have their commander-in-chief, are divided in companies with captains, lieutenants, sergeants and corporals; they maintain a respectable degree of military tactics, are not badly armed, and when together present as respectable a military appearance as any Mexican soldiers.[62]

In the morning Atkinson, McBride and McDaniels had positioned themselves on the roof of the post office. *Mexicanos* shouted at Atkinson demanding Howard and threatening to kill every one of them. "We want Howard," they proclaimed. Atkinson replied, "if you want him, come and get him."[63] While the men shouted at one another from across the street, Thomas

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60 *El Paso Troubles in Texas*, pp. 80-81.

61 Depositon, John B. Tays, "Motin de Mexicanos contra las autoridades Americanas en Isleta y San Elizario, Texas."

62 Mesilla Valley Independent, December 22, 1877

63 *El Paso Troubles in Texas*, p. 81; 73.

Zickefous noted the arrival of new men. "The Mexicans," explained Zickefous, "were raising a fuss."[64]

Charles Mortimer, the sergeant of the ranger company was the first struck down, just outside of Ellis' store. Gregoria Zuniga reportedly shot Mortimer in the back. Tays dragged the wounded sargeant into the converted fort, a slug having ripped through his back and exiting just below his nipple. Mortimer died later that evening.[65] Once Mortimer fell, Zickefous remembered, "they commenced firing from all directions, and continued incessantly, night and day, until Sunday the 16th."[66]

Tays raised a flag of truce to "let old man Loomis out." He and James McDonald spoke with Francisco Barela and a half dozen others for about a half hour. The demand remained for Howard to be given up and Tays agreed to present the proposal to Howard. After informing Howard of the proposal, Tays acquiesced to bring him out, only if he consented. If he refused, Tays remained committed to "fight it out." Tays assured Howard that "he would defend him to his last man." Howard confided to Tays, "he did not think it was any use to stand them off any longer, and that he would be willing to make any sacrifices or

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64 Depositon, Thomas Zickefous, "Motin de Mexicanos contra las autoridades Americanas en Isleta y San Elizario, Texas."

65 Depositon, John B. Tays, "Motin de Mexicanos contra las autoridades Americanas en Isleta y San Elizario, Texas."

66 Depositon, Thomas Zickefous, "Motin de Mexicanos contra las autoridades Americanas en Isleta y San Elizario, Texas."

compromise to save our lives." According to Owens, Howard opted to put his fate in the hands of Barela and the others because his confidence in the support of the rangers was rapidly dwindling. He "heard the Rangers, some of them, growling and grumbling at being kept prisoners on his account."[67]

Tays and Howard met with Barela. Tays chose to interpret the silence of Barela and the others as a clear indication that "they had no intention of keeping their promise or making any compromise." At one point, Barela left the room allowing Howard to talk "freely about the troubles." Howard reassured Tays that he was committed to doing what was necessary "to settle the trouble." Not long after Barela left the room, three men removed Tays despite his protests. Tays' escort threw him into a small room where he joined three other prisoners.[68]

During Tays' absence Atkinson took the initiative to make additional arrangements. He brokered the surrender of the entire force of Texas Rangers. He also gathered eleven of the twelve thousand dollar bond along with a promise to give up claims to the salt flats in exchange for the safe conduct of all those under siege. When Atkinson returned from his own meeting with the *junta*, he informed the rangers that Tays had sent for them. The disarmed rangers, according to

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67 *El Paso Troubles in Texas*, pp. 81; 59.

68 Depositon, John B. Tays, "Motin de Mexicanos contra las autoridades Americanas en Isleta y San Elizario, Texas."

Corporal H. Mathews, were "marched in a dirty room [where] many of us fell asleep."[69]

At different moments during the street battle civilians attempted to intervene on behalf of family and friends in the ranger force. Once the siege had ended and the rangers were taken captive, there were renewed efforts to retrieve loved ones. On December 14, Patricio Apodaca, a resident of Ysleta, travelled to San Elizario for the purpose of securing the release of two of the rangers: his father-in-law Price Cooper and his brother-in-law Santiago Cooper. Unsuccessful in retrieving the Coopers, he remained in San Elizario hoping for events to take a turn for the better. Apodaca, like many others, found themselves in San Elizario witnessing the events unfold. Thus, it is likely that many who were assumed to be members of "the mob" were simply spectators or, like Apodaca, present out of concern for family members.[70] Ranger Marsh's mother, for example, attempted to retrieve her son after learning that Captain Blair had met with some of the leaders of the San Elizario force. Ranger Campbell's mother was successful in retrieving her daughter-in-law and her two grandchildren from captivity.[71]

Not long after they took Tays to the corral, he recalled that "someone made a speech to a large audience of the mob." Tays testified he heard the speaker

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69 *Mesilla Valley Independent,* January 5, 1878; *El Paso Troubles in Texas*, pp. 57, 82.

70 *El Paso Troubles in Texas*, p. 35.

71 Report of Capt. Thomas Blair, December 19, 1877, "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14.

"put the question whether or not Howard should be killed." Tays detected "no dissenting voice" and shortly afterwards heard the "report of several guns." Four or five men also took out Atkinson and McBride from an adjacent room. Atkinson was stood against an adobe wall, next to where Howard lay riddled with bullets and hacked by a machete. Atkinson, his back to the wall with guns aimed menacingly in his direction, stared at his neighbors and customers of almost fifteen years. McBride looked on with fear. "*Acabenlos! Acabenlos!*" cried the gathering. Atkinson ripped open his shirt and yelled at the small firing squad, "Fire!" Five slugs tore into his belly. Atkinson stood once again and shouted: "'*Mas* [sic] *arriba cabrones!*'" Two more shots rang out and he dropped to the ground. "He motioned to his head, and Dediderio Apodaca... put a pistol to his head and finished him." The firing squad dispatched McBride quickly after with considerably less drama.[72]

Mary Antonia Cooper, the wife of Price Cooper, witnessed the execution of Howard and the others. "I don't know the name of the persons who killed these men," she later explained, "but I saw Jesus García, the Sonoranian [sic], shoot Howard in the face after he was down. I also saw Jesús Telles cut Howard across the breast with a machete."[73] "Some friendly Mexican women," Captain Blair

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72 *El Paso Troubles in Texas*, pp. 96-99.
73 Ibid., 74.

confirmed, "saw, that the firing party –of nine men—were all from the other side."[74]

### *If Any More Americans Are Killed I Will Resist You With My Whole Force*

Following the executions of Howard, Atkinson, and McBride San Elizario remained under the control of the armed and organized *Mexicano* militia. On one occasion, Schutz's freight wagons were escorted under guard. As late as December 18, vedettes and pickets were still posted "as far as old Fort Bliss."[75]

Cooper remembred that Barela appeared "to be chief of the mob." However, Cooper was able to name fifteen participants -Francisco Barela, Desiderio Apodaca, Ramon Zambrano, Leon Granillo, Guillermo Gándera, Manuel Lopez, Pedro Olguín, Eugenio Loya, Barnabel Candelario, Jesús García, Luciano Frescos, Gorgonio Zuñiga, Guadalupe Lucerro, Guerro Chaves, Jesús Chaves and Juan Naranjo- as men he had known well and for several years. He recognized them as US citizens and claimed. Participants later testified that Barela was the "leader of the mob." Scholars who relied on the documents made available by the investigation that followed were quick to accept Barela as the undisputed leader.[76]

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74 Report of Capt. Thomas Blair, December 19, 1877, "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14.
75 Ibid.
76 Deposition Price Cooper, "Motin de Mexicanos contra las autoridades Americanas en Isleta y San Elizario, Texas."

The rangers were released as a result of the insistence of Barela. "The more violent of the party," according to Blair, wanted to have all the Americans shot, "but Chico [Francisco] Barela opposed it –said there had been enough blood shed and that only after they had killed him could any more Americans be killed." Before their release, each was asked "whether they were employed by the Governor of Texas or by Howard" and required to sign a blank paper. Blair later explained that the rangers admitted that it was fortunate "that troops did not appear whilst they were prisoners, or that would have been the signal for their destruction."[77]

Remarkably, the captured rangers were given back their mounts. Zickefous asked Cooper to talk with Barela "about turning over my horses." "I talked with Chico Barela about the horses belonging to the Rangers," Cooper later testified.[78] Cooper prevailed upon Barela, from one old friend and neighbor to another, to return all the horses which "he said finally he would turn them over." Mathews confirmed that Barela told Cooper that "he would see about turning our

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[77] Report of Capt. Thomas Blair, December 19, 1877, "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14.

[78] Depositon Price Cooper, "Motin de Mexicanos contra las autoridades Americanas en Isleta y San Elizario, Texas."

horses over."[79] A mounted armed guard escorted the released prisoners as far as Socorro.[80]

Once freed, the rangers rode to El Paso and discovered Sheriff Kerber busily preparing to launch an attack upon the San Elizario community. Kerber had enlisted thirty men from Silver City, New Mexico, to form a posse. Tays later admitted that they "were bad men, that they were acting badly, and they didn't appear to be under any restraint."[81] Kerber and the posse acquired arms from Schutz. According to Schutz, Kerber boasted "he knowed [sic] them [Mexicans] better... and that he would give almost anything to have a war with them, so that he could have a chance to fight them, the sons of bitches."[82]

Making their way for San Elizario, the combined force perpetrated what appeared to be random acts of violence and terror. Mariana Nuñez later testified she suffered a gun shot to the shoulder the day Kerber, Tays and the rangers arrived at her home in Socorro. She and her husband were in their kitchen when the rangers burst through the front door. Her husband barricaded the kitchen door, holding back the rangers. They fired fifteen shots, striking her husband in the forehead and in the stomach. The rangers pushed through the door once his body

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79 Depositon, Herbert Mathews, "Motin de Mexicanos contra las autoridades Americanas en Isleta y San Elizario, Texas."

80 Report of Capt. Thomas Blair, December 19, 1877, "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14.

81 Leckie, *The Buffalo Soldiers*, p. 190; *El Paso Troubles in Texas*, pp. 28, 147, 115.

82 *El Paso Troubles in Texas*, p. 95; Ward, "Salt War," p. 124.

fell to the floor, shooting him twice more as he lay dying. They searched the house, but Nunez explained to the investigative tribunal that she could not tell what they were looking for as they tore through the trunks and beds. Neither could she understand why they had been targeted by the ranger violence in the first place, since her husband had been in Las Cruces "during the whole time of the troubles in San Elizario."[83]

Even prominent residents were not spared the terror of the roving rangers and posse from Silver City. Candelaria recounted that on December 23, he and his son were returning from Las Cruces at the head of three wagons. They were stopped and disarmed as they passed the ranger "quarters" at Ysleta. According to Candelaria, "They pointed their pistols at my head and at my boy's head, asking who we were, and if we had any arms." As justice of the peace of Ysleta Candelaria was outraged and "demanded to know by whose order they were acting on." The rangers took Candelaria's Sharp's rifle, an infantry rifle and two pistols from his son's belt. Candelaria protested to the sheriff, demanding his weapons be returned. Kerber ordered Tays to return his small arsenal.[84]

The rampage of the combined force of rangers and Silver City posse did not end until the arrival of Colonel Edward Hatch. Governor Hubbard dispatched sixty "battle toughened buffalo soldiers" from Forts Davis, Bayard and Stanton

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83 *El Paso Troubles in Texas*, p. 84; 10.
84 Ibid., 90.

under the command of Colonel Edward Hatch.[85] Upon arriving, Hatch issued General Field-Orders No. 1 and assumed command of all the troops in and around San Elizario as far as the Cuadrilla. Hatch's intention was to prevent "further outrages" by the rangers.[86]

Hatch arrived in Ysleta to discover "that the men of the county, [of] Mexican descent apparently, were rallying, and that the women and children were fleeing for their lives." Major J. F. Wade, arriving from Fort Bayard with the Ninth Cavalry, described riding into San Elizario to restore the peace: "All people at Ysleta came out to meet us, [to] say they fear nothing but the Rangers." Blair had admonished Kerber by noting that his volunteers:

> have been committing outrages of greater or less magnitude on the peaceable people of the valley, including women and children, who, for fear of your [Kerber] men, have fled from their homes, and are now perishing for want of food and from exposure to cold in and around the village of Sarogoza [sic], Mexico.[87]

Kerber explained to Hatch that two men were dead and two others had been wounded. He also learned that one woman had been "shot through the lungs." Kerber insisted to Hatch that they had been resisting arrest. Traveling further towards Ysleta, Hatch discovered two additional bodies "directly in the middle of the road". Hatch concluded, "in my own mind... these prisoners were killed

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85 Ibid., 36.

86 U.S. House, *El Paso Troubles, Texas*, 45th Cong. 2nd Sess., Ex. Doc. 84, p. 5.

87 *El Paso Troubles in Texas*, pp. 91-92.

without necessity." The investigative Board later agreed with Hatch's assessment of the wantonness of executing prisoners, remarking in their final report "that notable among these atrocities should be classed the shooting of two Mexican prisoners, who were bound with cords when turned over to the guard at Ysleta." The Board judged the ranger deeds as no less than "wanton outrages."[88]

The events in the winter of 1877 in the Western part of the state were not simply a riot or mob action, but a *Mexicano* insurgency that reveals the momentary collapse of an incipient hegemonic process due to the excesses of brutal processes of enclosure, both social and material. Challenging the limited notion of spontaneity, Guha stresses that insurgencies possessed "conscious leadership" in which two antagonistic consciousness "met for a decisive trial of strength."[89] The conflict subsumed in the title, Salt War, is as much about the negotiation of *Mexicano* identities and their strategic claims to citizenship in social, political and economic spaces they had traditionally dominated and only recently, if reluctantly, were forced to concede. Rather than investigate the San Elizario Salt War as a moment of crisis in a manichean racial struggle between Anglos and *Mexicanos*, the violence of that winter must be re-read to account for

88 *El Paso Troubles in Texas*, pp. 87-88; U.S. House, *El Paso Troubles, Texas*, 45th Cong. 2nd Sess., Ex. Doc. 84, p.5.

89 I am following the lead of Ranajit Guha in making the distinction between insurgency and riot. Ranajit Guha, *Elementary Aspects of Peasant Insurgency in Colonial India* (Durham: Duke University Press, 1999): 11.

those *Mexicanos* who, wittingly or unwittingly, conspired with Anglo merchants, allied with prominent political leaders served as rangers.

Unfortunately, there has been little attention to the internal tensions with the *Mexicano* community. In all cases, *Mexicanos* are a homogenous, one-dimensional whole. Depending on what side of the political spectrum, *Mexicanos* reacted either in revolt or riot. In either case, the diverse agency of different factions, informed in large part by the conflicts internal to the community, are effaced. A number of conflicts divided the loyalties of the *Mexicano.* Most notable were those who pursued their own political and economic interests by cooperating with and supporting leading Anglos. Such collaboration could lead to service in the Texas Rangers, such as the notable role played by young Pablo Mejía. Most importantly, prominent *Mexicanos* also connived with Anglo authorities both during and after the investigation and indictment of those citizens involved in the fray.

# 6. TO GIVE UP MY PERSON TO HIM!

> By contrast, the well-worn litany of "lootpillageandrape" implies that male soldiers rape women the way a tornado inhales barns and tractors: anything that comes in the path of warfare, it is imagined analogously, is susceptible to warfare's random violence. Men caught up in the fury of battle cannot be expected to be subject to rules of conduct, much less the fine print of memos. Grabbing a stray chicken or a stray woman –it is simply what male soldiers do as they sweep across the landscape.
>
> Cynthia Enloe[1]

On December 31, 1877, not long after the violence of the San Elizario Salt War had subsided, President Rutherford B. Hayes ordered an investigation into a critical, if unexpected, part of the unfolding Mexican Border Troubles. The decision for a military tribunal attracted the attention of Governor Richard Hubbard who insisted that the state of Texas participate in the investigation. Local county officials also organized an inquiry for the purpose of "legally" obtaining arrest warrants, extraditing individuals believed to be leaders of "the mob," and recovering stolen property. A local Grand Jury eventually produced indictments for murder, extradition requests, and complaints for the recovery of stolen property. These investigative projects sought to restore "law and order" to the region.

The previous chapter paid close attention to the "micro history" of the insurgency, otherwise known as the Salt War. The narrative of the conflict presented in the previous chapter confirms multiple histories of violence: the

[1] Cynthia Enloe, *Maneuvers: The International Politics of Militarizing Women's Lives* (Berkeley: University of California Press, 2000): 134-135.

murder of Cardis, the street battle, the public executions of prominent Anglos and the brutal reprisals by rangers and the Silver City posse. An additional, if often overlooked aspect of the violence were the number of investigations once the physical conflict ended. In addition to the more explicit material violence that constituted the Salt War, the investigations conducted by the military with the assistance of the Texas Rangers as well as the local criminal investigation are as much a part of the war and the story as the street battle in December. The bureaucratic operations visited upon Ysleta, Socorro, and San Elizario closely resembled others conducted by federal authorities immediately following dramatic episodes of conflict, contributing significantly to an already emergent "representational machine," a theme taken up in more detail in the next chapter.

More importantly, the state's investigative apparatus also exposed other aspects of the violence generally overlooked. The violent reprisals that were indiscriminately visited upon the *Mexicano* community have been subsumedand naturalized into the category of "outrages." Ultimately, the ranger defeat and the vicious reprisals on innocent *Mexicanos* have been overshadowed by the emphasis on *Mexicano* criminality in the form of a riot or mob action as the Salt War has generally been represented. Such a maneuver erases the "lived experience" of violence. Although glaringly apparent in the documentation produced by the investigation it has been overlooked in the narrative of the Salt

War even though it was a critical part of the war's logic. Thus, the brutal rape of Salomé Telles, one example of the "outrages" that took place, has been effaced, erasing the particular experience of a female victim and drawing attention away from the brutal excesses of Anglo paramilitary forces.

### *To Show What is Probably the True History of the Matter*

The military tribunal that heard the case of the San Elizario Salt War included Colonel John King, Ninth Infantry; Lieutenant Colonel William H. Lewis, Nineteenth Infantry, and First Lieutenant and Adjutant Leornard Hay, Ninth Infantry, acting as recorder. They convened on January 22, 1878 at 3 p.m. at Fort Bliss.[2] Assistant Adjutant General E. R. Platt instructed Lewis, as the presiding officer, to thoroughly investigate "the whole subject of the troubles." The Board was also to assess the conditions of the region making sure to fully disclose the causes, the participants and the events.

The investigative Board had before it a formidable task, for it "met with noticeable reluctance on the part of many people in the different localities where its sessions were held." The hesitation by many witnesses, primarily because of fear of later reprisals, meant that many "refused to testify at all." The conflict's potential to "excite local animosities" also explained "the guarded language to be

[2] Although there is little to no official mention of the role of an interpreter, many of the testimonies given in Spanish were primarily translated by Edmund Stein who served as translator throughout the investigation. Stein, a native of Berlin, Germany, entered the bar in September 1873, practicing law in El Paso. He also served as county clerk. J. Morgan Broaddus, *The Legal Heritage of El Paso* (El Paso: Texas Western College Press, 1963): 116.

found in many of the statements found by intelligent parties." Despite these difficulties, the Board concluded that the combined forces of rangers and posse from Silver City, "contained within its ranks an adventurous and lawless element, which, though not predominant, was yet strong enough to make its evil influence felt in deeds of violence and outrage *matched* only by the *mob* itself."[3]

The tribunal made liberal use of a number of reports produced by officers in the field. In an effort to produce a thorough and "unimpeachable report," King was instructed to take advantage of Colonel Edward Hatch's report and if necessary to confer with him. Once both reports were completed W. M. Dunn, the Judge Advocate General, believed Hatch's report "in every general feature" coincided with the Board. Curiously, Hatch warned that the frontier would experience additional outbreaks of violence equal to, or more serious than, the previous troubles. The source of conflict in the future, Hatch opined, would be "in connection with the water taken from the Rio Grande for irrigation."[4] King and the other investigators also concurred with Hatch's analysis regarding the potential for future conflict. "As time progresses," the Board concluded, "and the country is opened by accessions to its populations, sure to come –for it is a most fertile region and gloriously rewards the labor spent in irrigation—the question

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[3] U.S. House, *El Paso Troubles in Texas*, 45th Cong., 2nd Sess., Ex. Doc. 93, pp. 6, 23, 13, 17. Italics mine. Hereafter cited as *El Paso Troubles in Texas*.
[4] U.S. House, *El Paso Troubles, Texas*, 45th Cong., 2nd Sess., Ex. Doc. 84, p. 3, 6.

[of water] must grow in importance, and may occasion trouble beyond the reach of diplomacy to settle."[5]

When General John Pope forwarded Hatch's report, "El Paso Troubles," to the division commander he also drew special attention to the "interesting paper" of J. P. Hague, district attorney from El Paso. Although confident that the report produced under the direction of Colonel King would be the "more comprehensive," Pope believed that the narrative provided by Hague would "show what is probably the true history of the matter."[6] In addition to providing an important interpretation as to the actual causes of the troubles and suggestions to avoid subsequent disturbances, Hague's "paper" touched on a number of key issues on the role of *Mexicanos* from the other side of the river.

One of the most critical responsibilities given to the tribunal was to gauge the extent "Mexicans from Mexico were engaged in it." The Board sought to discover if, for example, they "came singly or in bodies… organized and armed," or if they arrived at a late date. The difficulty of determining the level of participation by Mexican nationals exposed a number of complications. One of the most notable difficulties was how to refer to county residents, the majority of whom were *Mexicanos*. Platt instructed King "to be careful to discriminate

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[5] *El Paso Troubles in Texas*, p. 18.
[6] U.S. House, *El Paso Troubles, Texas*, 45th Cong., 2nd Sess., Ex. Doc. 84, pp. 2-3.

between citizens of Mexico and those of Texas, and if you use the word Mexican state exactly what you mean by it."[7]

The descriptions given by Anglo elites regarding the Mexican character clearly express the hatred and fear that pervaded the West Texas community. Anglo authorities, civic leaders, merchants, and investigators generally did not distinguish among *Mexicanos*. Regardless of nativity or other differing characteristics, Anglos emphasized their ignorance and unbridled passions. Hague's written testimony to the investigative board revealed this view:

> The people [Mexicans] of one [side of the border] are bound to those of the other by more than the ordinary obligations of race and hospitality. They have married and intermarried; their interests are in many respects identical; their wants and fears spring from the same source and hold them in sympathy; for time out of mind they have reciprocally enjoyed the same feasts and festivities; they are united by the same religion, and have all passions and prejudices common to an ignorant people.[8]

Other documents were introduced with the same intent of painting *Mexicanos* in a bad light. Atkinson and nine other prominent residents, for instance, announced in a letter to Governor Hubbard that the "armed and organized body" were "in their manners, habits, customs, and feeling Mexican to the backbone, and who hold the laws of the United States in the most supreme contempt." Similarly, district Judge

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[7] Letter to King, December 27, 1877, "Disturbances at El Paso, TX September 1877-May 1878;" "Special Files" of Headquarters, Division of the Missouri, Relating to Military Operations and Administration, 1863-1885; Roll 14, (Microfilm Publication M1495); National Archives and Records Administration, Washington D.C. Hereafter cited, "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14.

[8] Letter to Edward Hatch, January 10, 1878, "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14.

Allen Blacker testified that the Mexican character was docile, disposed to evil and susceptible to intrigues directed by others:

> they also have the utmost, unbounded confidence in their leaders. If they have a good man to lead them, there is not a more pacific, easily-governed, and loyal people on the face of the earth than the Mexican people of El Paso County. If they have a bad man, they will be just as bad as he wants them to be.

Both officials and ordinary citizens, who had a platform to share their views in either official or unofficial capacities, viewed *Mexicanos* as either docile or as capable of the worst kinds of violent excesses. When Anglos emphasized *Mexicano* depravity they represented it as a result of a nefarious leadership, reflecting the ambitious and wicked designs of a greedy few.[9]

### *Major John B. Jones and Texas' Minority Report*

Major John B. Jones commander of the Texas Rangers' Frontier Battalion played an active and critical role in the federal investigation while conducting a parallel inquiry for Texas. King, Lewis, and Hay, members of the federal tribunal, collaborated with Jones who had been selected by Hubbard. Jones had been in Franklin prior to the outbreak of violence and played a critical role in the events just before much of the physical violence broke out. While it may not have been out of the ordinary to convene an investigative Board to research the causes and outcome of the "El Paso troubles," it was unusual that a representative of the State

[9] *El Paso Troubles in Texas*, p. 143, 122.

joined the Board. Jones arrived in El Paso in mid February only to discover the Board had already begun its work

Despite Steele's admonishment, from the beginning Jones made every effort to limit the Board's investigating scope and claim the final authority over the "border troubles." He worked to keep the investigation within the narrow parameters that both Adjutant General William Steele and Jones had agreed upon earlier –the violence at the hands of *Mexicanos* between December 12 and 17. Arguing that the events that followed the street battle were under the exclusive purview of state or local authorities, Jones insisted that violations by state forces would be subject to local authority only. Jones also chose to emphasize the participation of *Mexicanos* from the other side. He consistently drew attention to the international scope of the conflict. Not surprisingly, he minimized the violations by the combined force of rangers and Silver City posse.[10]

Jones was, without a doubt, an active and motivated investigator. He conducted numerous interviews, soliciting statements from key participants and observers well after federal authorities were satisfied with their own reports. Empowered by the state of Texas, Jones felt it necessary to produce a Minority Report to supplement the "the tedious and arduous investigation." Although Jones' report conformed in large part with the analysis of the final Majority Report, it did contest some key conclusions. The differences between the two,

[10] Ibid., 48-49.

although subtle, are revealing. The disagreements are not so much ideological as they are political, revealing critical contradictions between the state and federal government.

Ultimately, Jones contributed significantly to the edifice that enabled the erasure of certain acts of violence. Jones' conduct, and his subsequent report deliberately minimized the tumultuous events following the major melee. This resulted primarily from his insistence that any review of state forces should be subject to his authority, as the commander of the Frontier Battalion. In so doing, he drew attention away from the violent retribution carried out by Tays, Tucker and Kerber and lent support to the "police actions" that followed the "major battle" as legitimate. The report gives little importance to key episodes such as the rape act against Salome Telles. In effect, Jones' minority report as well as the federal effort relies on the category of "lootpillageandrape" to describe and analyze the "outrages" of that winter. Indeed, the reports taken together deny the specific experience and agency of women in the war and during its aftermath. The lack of attention does not mean the investigators did not fully appreciate the extent of violence, however its marginalization in the documentation not only resulted in the failure to prosecute paramilitary forces for their actions but also stressed the excesses of the "rioters."

### *The El Paso Grand Jury*

On March 4, 1878 Judge Allen Blacker convened the District Court of the 20th Judicial District in Ysleta. District Attorney J. A. Zabriske, County Clerk G. W. Wahl, and Sheriff Charles Kerber, gathered the names of both the grand and petit jurors for that session. Selected as grand jurors were Augustin Marqués, B. Maning, Gumersindo Peangon, Juan García, José María Gonzales, Gregorio García, Jesús Cobos, Tomas Marise and Charles Wilson. All were present that day with the exception of Charles Wilson whose absence meant the proceedings were delayed until the following day at 10 a.m. Judge Blacker ordered Kerber to secure the necessary number of jurors.

The following day José María Gonzales claimed an exemption in order to excuse himself from the jury on the grounds that he had recently been elected Justice of the Peace for Precinct Number 1. Gonzales had faithfully performed a number of civic duties on previous occasions, having served as Justice of the Peace, County Commissioner, and Sheriff. But, for this particular obligation he deliberately declined to serve, invoking the exception. Francisco Barela's daughter's marriage to José María Gonzales' son, Francisco Gonzales, may have informed his decision. Gonzales, like many other *Mexicanos* living in Texas, were consistently forced to negotiate a number of conflicts and challenges that

citizenship in the US and the attachments to the region implied.[11] Declining to serve on the Grand Jury may have been a clever maneuver to maintain domestic tranquility by not involving him the proceedings that could lead to legal action against Barela. Gonzales' subtle maneuver may been an effort to chart a course between alienation and accommodation.[12]

The following day Kerber completed the Grand Jury roster by summoning Ward Blanchard, George Kohlhaus, J. W. Campbell, George Johnson and Martin Apodaca. After Blanchard was designated foreman, the entire jury was instructed as to their duties and adjourned. Throughout March the Grand Jury indicted over one hundred and fifty alleged perpetrators. During the proceedings they issued charges against a number of local residents for advising, commanding, encouraging and procuring murder as well as burglary. The Grand Jury also identified a number of presumed leaders of the mob. Tays admitted before the Grand Jury "I have not designated persons by names," adding that he could identify them only by sight. Forced to admit that he did, "not know them well enough to identify them by their respective names," he offered sufficient evidence for the grand jury. He explained that,

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[11] Francisco also served as a Texas Ranger. In 1930 he and Manuel Ortega were the only two men drawing a pension as rangers and Indian fighters in the so area. "Valley Pioneer Taken by Death," *El Paso Herald Post*, June 25, 1930; "Mrs. Gonzales To Be Laid To Rest Thursday," *El Paso Times*, June 25, 1930.

[12] Broaddus, *Legal Heritage of El Paso* p. 124. The District Court was more than likely meeting in rooms rented from Jose Maria Gonzales for the sum of five dollars.

> from many sources, some of an official character I can state Francisco Barela, Desiderio Apodaca, Eugenio Leyva Barnahel Candelario, Jesus García, Luciano Frescos, Ramon Zambrano, Guadalupe Lucerro, Guero Chaves, Jesus Chaves, Eutermio Chaves and Juan Naranjo were the persons who shot and killed Howard, Atkinson and McBride and have been charged before the civil authorities.[13]

Local officials were confident that those indicted had fled to the other side of the border to escape reprisals. Although these men and women were all perceived as *Mexicanos*, they were known to be US citizens. In response to the requests for extradition Mexican authorities strategically argued that they were Mexican citizens, as an attempt to avoid capitulating to the extradition orders through diplomatic maneuvering. The legal machinery that worked to extradite all those believed to be hiding on the other side was initiated and controlled by the same faction that had supported Howard.

There were no legal actions taken against Howard when he murdered Cardis. Indeed, those responsible for the murder of *Mexicanos* immediately following the melee also escaped prosecution or any official attention from state authorities. Many of the men who made up the grand jury labored under the same influence.

### *To Give Up My Person To Him*

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[13] Depositon, John B. Tays, "Motin de Mexicanos contra las autoridades Americanas en Isleta y San Elizario, Texas;" Legajo L-E-64; Archivo Historico "Genaro Estrada"; Secretaria Relaciones Exteriores, Mexico, D.F. Hereafter cited as "Motin de Mexicanos contra las autoridades Americanas en Isleta y San Elizario, Texas."

On February 16, 1878, Salomé Telles appeared before the Board investigating the San Elizario Salt War.[14] Telles testified that sometime late in December in the afternoon, two rangers arrived at her home in Ysleta. The two men killed her dog and "shot at some chickens." Later that evening, the two rangers who had terrorized her earlier that day forced their way into the home of her brother-in-law, Juan Alderette. They brandished their weapons and robbed him of between three or four dollars. Alderette confirmed for the tribunal that two rangers came to his door and asked to be let inside. According to Alderette, he had his entire weight against the door to prevent them from entering. One of the rangers repeated his request: "Open the door; I am a gentlemen, I won't do you any harm." Unfortunately, an unidentified *Mexicano* accompanying Alderette that day reassured him that it would be alright to let the rangers enter. Once inside, the intruders forced Alderette to open his trunk, taking all his money.

The rangers ransacked the remaining rooms, looking for arms that might be hidden in the house. Not alone in the home, Telles attempted to misdirect the intruders by emphasizing that the only people in the house were "a couple of old people and my children." Following their search they forced Alderette and the

[14] An initial investigation of census data suggests Salomé Telles may have been forty-seven years old at the time of the Salt War.

other *Mexicano* outside at gunpoint. One of the rangers stood guard outside the door of Alderette's house, while the other ranger raped Telles for two hours.[15]

Alderette ran for assistance but was unable to find any aid. Alderette departed for over four hours. After Alderette returned he learned from his sister-in-law that "the rangers had put a pistol to her breast and forced her to give up her person to him."[16] Pedro Candelaria, Ysleta Justice of the Peace, later identified J. Williams and F. Johnson as the two "rangers" responsible for the rape. Despite the corroborating testimony and the available evidence regarding the intrusion and the rape, no action was taken. While there is no documentary "evidence" confirming that rape was a deliberate policy decision prior to or during the Salt War, the rapes that took place after the street battle were authorized in one sense by the attitudes and practices of militarized Anglo forces. Moreover, the participation, and in some cases the tacit approval, of local officials such as Sheriff Kerber and Tays suggests more than complicity.[17]

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[15] *El Paso Troubles in Texas*, p. 90.

[16] Ibid., 90-91.

[17] "Systematic rapes," Cynthia Enloe emphasizes, "are administered rapes." The designation of rape in war-time as something more than random or ad hoc event or occurrence reverses generations of previous attitudes and thinking about rape during or as a result of war. "By contrast," Enloe argues, "the well-worn litany of 'lootpillageandrape' implies that male soldiers rape women the way a tornado inhales barns and tractors: anything that comes in the path of warfare, it is imagined analogously, is susceptible to warfare's random violence. Men caught up in the fury of battle cannot be expected to be subject to rules of conduct, much less the fine print of memos. Grabbing a stray chicken or a stray woman –it is simply what male soldiers do as they sweep across the landscape." Enloe points out that rape was not recognized as a war crime distinct from "a string of charges" until the prosecutions of eight male Bosnian Serb military and police officers as part of the International War Crimes Tribunal, announced June 27, 1996. Cynthia

Rape has received little attention in relation to the unfolding violence of the West. More recently, rape as an instrument of war and tool of domination has earned more serious treatment, especially in contemporary contexts of conflict. Equally important are the strategies women have used to survive rape, especially in situations of war. Unfortunately sexual violence directed against women has not been fully researched in the context of the social war of the US-Mexico Borderlands. Thus, despite advances in research for the late twentieth century the specific incidents and impact of rape that resulted from westward expansion, and the racial conflict it generated, has not been fully incorporated into broader discussions of violence in the West during the nineteenth century.[18]

One early study of sexual violence by Antonia Castañeda, although focused on the Spanish colonial period, provides critical insights into the role of rape in situations of social and political domination. Castañeda rightfully challenges earlier scholars of the Spanish Borderlands tradition who minimized the role and impact of sexual violence against indigenous women as nothing more than the "friction between Spaniard and Indian." Indeed, early Borderlands

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Enloe, *Maneuvers: The International Politics of Militarizing Women's Lives* (Berkeley: University of California Press, 2000): 134-35.

[18] For a discussion of domestic violence on the frontier, see Melody Graulich, "Violence Against Women: Power Dynamics in Literature of the Western Family," in Susan Armitage and Elizabeth Jameson, eds., *The Women's West* (Norman: University of Oklahoma Press, 1987): 111-126. Researchers have begun to draw attention to rape as part of the low intensity war currently underway in the Borderlands. See, for example, Sylvanna Falcón, "Rape as a Weapon of War: Advancing Human Rights for Women at the US-Mexico Border" *Social Justice* 28:2 (Summer 2001): 31-50.

scholars attributed sexual violence to the degraded character of a *mestizo* population, suggesting that newly arrived settlers were "half breeds of the least energetic classes." Similarly, Scholars emphasizing the frontier as an explanatory device for violence against women drew attention to "a shared life of hardship and risk." Castañeda also rejects the notion advanced by later revisionists that a "distinct frontier culture" emerged due to "the isolation and distance from the central government." Although sexual predation of Amerindian women posed administrative challenges for colonial authorities, Castañeda explains that violence towards women was part of an accepted arsenal to be exercised as "a legitimate expression of superiority" by conquering Spaniards. "While rape and other acts of sexual brutality did not represent the official policy on this or any other Spanish frontier," Castañeda concludes, "these acts were nevertheless firmly fixed in the history and politics of expansion and conquest." Not content with dismissals that emphasize the limitations of colonial administrators and unique frontier conditions, Castañeda argues that these claims do not fully explain "the origins or the continuation of sexual violence against women."[19]

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[19] Antonia Castañeda, "Sexual Violence in the Politics and Policies of Conquest: Amerindian Women and the Spanish Conquest of Alta California" in *Building With Our Hands: New Directions in Chicana Studies* (Berkeley: University of California Press, 1993): 18, 24, 25. See also, Antonia Castañeda, "History and the Politics of Violence Against Women," in Carla Trujillo, ed., *Living Chicana Theory* (Berkeley: Third Woman Press, 1998): 310-319. For a similar study that links racial violence, social control and the politics of sexual violence, see Jacquelyn Dowd Hall, "'The Mind that Burns in Each Body': Women, Rape, and Racial Violence," in Ann Snitow, Christine Stansell, and Sharon Thompson, eds., *Powers of Desire: The Politics of Sexuality* (New

The rape of Salomé Telles was fundamentally a militarized rape, a physical act of violence against women used as a weapon in the context of war. As part of the events that comprise the San Elizario Salt War, specifically during the reprisals carried out by the combined forces of Tucker's and Tays' men, the rape of Telles was a racialized, public event meant to attack the *Mexicano* community as a whole. The rape was undertaken, for example, with full knowledge of Alderette and an unidentified *Mexicano*. Public officials such as Candelaria also knew of the rape, enough to identify Telles' attackers during his testimony. Despite his political influence, Candelaria was unable to insure the persecution of the culprits. The role of these men in relating additional details of the event suggests that many people were familiar with the violation either during or immediately following its occurrence. Ultimately, the rape undermined the perceived role of *rancheros* in protecting their homes along the frontier.[20]

As a whole the testimony gathered by the Board did not contain a great many women's voices despite their participation in the events that winter. The very prominent testimony by Telles about the violence directed at her warrants

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York: Monthly Review Press, 1983): 328-349. Work remains to be done regarding the privileges Anglos enjoyed by virtue of the threat of sexual violence.

[20] For an important discussion of the identity of *rancheros* as protectors of their community, see Ana Maria Alonso, *Thread of Blood: Colonialism, Revolution, and Gender on Mexico's Northern Frontier* (Tucson: University of Arizona Press, 1995). In the narrative of Anglo-Mexican social antagonism the focus on domination and resistance has too often emphasized claims to honor and the construction of men's identities as protectors of their community against class and race enemies in a turbulent frontier.

closer scrutiny.[21] Her testimony transformed the investigation into a site of struggle. Her refusal to remain silent challenges previous views of resistance usually attributed to men during moments of physical conflict. Reliving a traumatic episode, Telles confronted the Texas Rangers, exposing their role in the material violence of December.

Her recorded statement, reproduced *in extenso* below, records her remarkable opposition to powerful forces. It also provides some insight into the symbolic violence that is part of the Salt War, making it a significant text.

> No. 17
> El Paso, Tex., February 16, 1878.
>
> Personally appeared before Col. John H. King, Ninth Infantry, and Lieut. Col. Wm. H. Lewis, Nineteenth Infantry, members of the board of officers, Mrs. Salomé Telles, who states:
>
> That the latter part of December last two rangers came to my house in Ysleta and killed my dog in the afternoon and then shot at some chickens. I was at the house with my whole family, consisting of three girls and two boys. I took my family and went to my brother-in-law's Aldaretta's for protection, where I remained with my three smallest children, sending my two eldest daughters to a neighbor's house. The same two rangers came to Aldaretta's house that same night and made us open the door for them, and made us open the trunk which was in the room, with pistols in their hands, taking out of the trunk about three dollars and a half. They then searched through the beds and came to my bed and threw back the cover and asked who is here. I said only a couple of old people and my children. Up to that time my brother-in-law and the man –a Mexican—had been in the house. The rangers ran them out, and one of the rangers went out and stood guard

[21] Here I am following the lead of Ranijit Guha in which he analyzes the contested representation of the death of young woman. See, Ranajit Guha, "Chandra's Death,"in Ranajit Guha, ed., *Subaltern Studies V: Writings on South Asian History and Society* (Delhi: Oxford University Press, 1996): 135-165.

> on the outside, while the other, who remained inside, pointed the pistol at my breast and forced me to give up my person to him. They then left. The man who committed the outrage upon me was a large man with a black beard.
>
> Witness: E. Stine, Interpreter.
> Sworn to and subscribed before me this February 16, 1878, at El Paso, Tex.
> Leonard Hay. First Lieutenant, Adjutant Ninth Infantry.[22]

Accepting this particular episode as "a discursive site" of struggle compels us to consider the context from which it emerged. Telles' testimony against the two rangers who terrorized her over the course of an entire day is an extraordinary effort to denounce a rape as a crime of war. Her commitment to expose her attackers not only contests the violation directed against her it also recuperates the dignity of the larger community.[23]

The purpose of presenting Telles' complete testimony is to directly engage one of historiography's traditions. In comparison to the other testimony collected during the investigation, Telles' statement adds only a small part.[24] Also the prolonged assault on Telles' family and person, concluding in the rape perpetrated

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[22] *El Paso Troubles in Texas*, p. 90. The names of persons throughout the Congressional document vary in spelling.

[23] Telles' statement echoes what Guha has noted for evidence in similar contexts. "To read these statements as an archive is to dignify them as the textual site for a struggle to reclaim for history an experience buried in a forgotten crevice of our past." Guha, "Chandra's Death,"p. 142. Joan Scott has argued that we must complicate experience as a category for historical analysis, suggesting people inhabit social categories available to them within specific circumstances. See, Joan Scott, "Experience," in Judith Butler and Joan Scott, eds., *Feminist Theorize the Political* (New York: Routledge, 1992): 22-40.

[24] However, as Ranajit Guha reminds us of historiography's time honored practices, it is a "tradition that tends to ignore the small drama and fine detail of social existence, especially at its depths." Guha, "Chandra's Death,"p. 138.

against her, is only one part of the events of the San Elizario Salt War. However, it sheds light on other aspects of the "outrages" that followed the more prominent street battle.[25]

The violence of the assault begins when the rangers first arrived at her home in Ysleta. Her statement they "came to my house in Ysleta" suggests they had prior knowledge of Telles and deliberately targeted her. The threats they posed and their aggression, as in the shooting of her dog and later some chickens, suggest that they may have initially been frustrated as a result of the failure of an earlier plan, such that it was. Her agency in taking full responsibility for her family and anticipating the need to take further steps to ensure their safety is clear. In addition to defending her home, Telles thwarted their efforts to take advantage of her two eldest daughters. Anticipating the rangers' persistence, she safeguarded the two young women by sending them to a neighbor's house. Alderette testified that the "two girls [were] living at the house, one 18 and the other 20 years of age," and that the rangers had asked for them specifically when

[25] I am conscious here to explicitly avoid representing it as her rape, but rather as an act of violence and exercise of power done to her by men operating in an official capacity. Similarly the use of the passive tense is avoided in order to underscore the specificity of the violation and her agency in the collective resistance of the Salt War. In this gesture, I am following the lead of Cathy Winkler. See, Cathy Winkler, "Rape as Social Murder," *Anthropology Today* 7:3 (June 1991): 12-14, esp. note 4. In addition to the cautions required regarding representations that suggest "blaming the victim," Sharon Marcus argues against seeing rape "as the fixed reality of women's lives" by drawing our attention to rape situations as linguistic facts that are scripted: "A rape act imposes as well as presupposes misogynist inequalities; rape is not only scripted –it also scripts." Sharon Marcus, "Fighting Bodies, Fighting Words: A Theory and Politics of Rape Prevention," in Judith Butler and Joan W. Scott, eds., *Feminists Theorize the Political* (New York: Routledge, 1992): 387; 391.

they first arrived at Telles' home. In relocating herself and her remaining children to her brother-in-law's home she was taking necessary precautions to protect her family, no doubt well aware of the rangers' notorious activities. Telles' presumption that the rangers would return indicates the predictability of the somewhat widespread and frequent incidence of sexual violence directed against women. If, as Cathy Winkler argues, rape is "social death," Telles' survival and her efforts to hide her daughters, defend her household, and ultimately confront her attackers reclaims her dignity and that of the *Mexicano* community as a whole.[26]

The ever-present threat of sexual violence, given the authorized presence of the rangers and the men who formed part of the Silver City posse, is supported by the testimony of J. P. Miller, also a resident of Ysleta. In a similar attack like that on the household of Alderette, Miller found himself woken out of a sleep when two men knocked on his door at midnight. Miller at first refused to open the door. Convinced he had no choice, Miller acquiesced to their demands. Miller's assailants marched him out of his home between them at gunpoint, stopping about twenty steps from the door. Miller testified: "They then told me to keep quiet and tell them where these women were and they wouldn't hurt me. I then begged for the women with no effect." His pleas unsuccessful, the two intruders forced Miller to return to the house in order to search for the women. When all three men

[26] Cathy Winkler, "Rape as Social Murder," *Anthropology Today* 7:3 (June 1991): 12-14.

entered the darkened building, they quickly discovered the women had quietly fled to a neighbor's house, the flickering candlelight confirming their escape. Soon afterwards, Miller fled "to the soldier's camp." After the episode, Miller identified the men who attacked him as part of "Tuckers crowd."[27]

The power relations refracted through Telles' conduct suggests that the rape of Telles did more than simply call into question the honor of Mexican males, as it was in part intended to do as a strategy and instrument of war, it also highlighted strategies of resistance available to different members of the community. The presence of women as active participants, witnesses, victims and survivors of violence during the nineteenth century raises critical issues of how violence is narrated. Women were active in the "brushfire wars" and "raids" not only as victims, as for example in the case of murder, rape and captivity, but were also integral to making sure the effects of wars did not destroy the social fabric of the community, which was consistently threatened in the social antagonism of the period. The instructive question is not only who is narrating or what "master symbol" of the violence is privileged in the narrative, but rather it points to the roles and actions critical to the different kinds of resistance. Most importantly, it underscores how communities were sustained and rebuilt following the catastrophes of social war.

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[27] *El Paso Troubles in Texas*, p. 95.

### *From Time Immemorial*

Just a week before Howard's execution a local group of citizens petitioned Governor Hubbard for redress. On December 4, 1877 four hundred thirty six *Mexicanos*, claiming to represent the entire county, sent a memorial to the Governor. The memorial challenged Howard's claims to the Guadalupe Salt lakes and requested the Governor intervene in order to resolve the legal rights to the lakes and avoid future conflict. The memorial made it clear that the majority of citizens "decline to believe the assertion of Mr. Howard that his is the favored one." "The people generally could not believe," the memorial proclaimed, "that such authority was vested in Howard because he did not present any authentic evidence sustaining such claim and had they seen any document purporting to establish such a title they would have doubted their genuineness."[28]

The memorial also demanded an investigation to expose the machinations of Howard and his allies. They insisted that any grant or petition put forward by Howard, for legal rights to the lakes, be rejected until a full inquiry into his involvement in any schemes he might be developing could be conducted. The memorial made clear that failure to revoke Howard's spurious claims on the lakes would force them to act. Their statement was emphatic: "exasperated they will be

[28] The following discussion relies on the "Memorial by the People of El Paso County," December 4, 1877, "Motin de Mexicanos contra las autoridades Americanas en Isleta y San Elizario, Texas."

compelled to drive out the oppressor, thus becoming rebels, disobeying the orders of the legitimate authorities, or they must have recourse to some other expedient."

The collective statement sought to insure access to the lakes for the use of the entire population. The grant of ownership to Howard would clearly benefit one individual at the expense of the majority, who they asserted had enjoyed access and benefits from the Guadalupe Salt Lakes "from time immemorial." "The transfer of this title to a single individual would prove that the supreme authority of the state disregards entirely the first principle of universal justice, and sanctioned by all civilized countries, viz: that the welfare of the many must be preferred to the benefit of the few." Any grant that sustained Howard's claim would amount to a monopoly that would undermine the rights of those thousands "born and raised on the soil;" who enjoyed rights "since the establishment of said towns under the Spanish government." Denied access to the salt lakes, local residents would be forced to abandon their homes and "fields of their ancestors" and face starvation or become slaves under the brutal authority of Howard as a feudal lord. "He who becomes master of the salt lakes," they explained, "will also pretend to master of [sic] the people."

The memorial indicted Howard for having disrupted the community on a number of occasions given that he was, "an insolent and quarrelsome person." The assassination of Cardis "created the greatest confusion, and disturbed the

peace and tranquility of this community." The citizens believed it was necessary for the governor to prosecute Howard. Failure to do so would mean he would realize his "ignoble desire that a conflict should take place in this county." A conflict, the memorial concluded, "which would cause the blood of our citizens to be shed."

The claims made by the citizen's memorial regarding the salt lakes were based on their view of their connection with the land. Much of this sense of place had its roots in the Spanish strategy of settlement, strategies pursued by the Spanish in hostile and remote territory. Salt, like other resources including water and pasturage, were made available to the entire community for its survival. Commons were an essential part of the strategy of frontier expansion and defense developed by the Spanish. The citizens proclaimed: "the free use in common of the Guadalupe salt lakes is an essential and necessary to the inhabitants of this county as much so as is the common and free use of the waters of rivers and springs, of air and light, or the warmth of the sun."

On February 25, 1878 *Mexicanos* claiming to be on the side of law and order, empowered themselves as a commission in order to address the investigating Board. The commission warned the Board "members of the late mob" were still organized and possibly seeking vengeance. Vengeance, they worried, could easily be directed at them. Given their vulnerability, the

commission requested the Board propose the stationing of troops and the reestablishment of a post. Arguing that the previous locations of Fort Bliss and Fort Quitman were too far to provide adequate protection, they offered to donate a tract of land in a well-irrigated place, in hope of drawing the government installation within ten to twelve miles of San Elizario. "We fear," they explained,

> that bands of lawless men may rise, who, accustomed to rob, murder, and plunder, and taking the advantage of our present situation to commit crimes, will carry them into effect –particularly should these parties come from the opposite side of Rio Grande, from whence we apprehend the most danger, and who, depredating, in order to effect their escape would have to travel but a short distance, as a few steps, we may say, would place them beyond our reach, setting at distance the laws and authorities of our county.

Although they echoed the same complaints and fears voiced by Hubbard and most Anglo officials, they felt a need to further distance themselves from fellow *Mexicanos*. "Finally," they explained, "we would state that in asking for this permanent protection we wish to have it understood we are not revolutionary, nor do we wish any war. All that we ask is that our lives and property be protected, that we may live in peace and harmony, and go unmolested about our business, to procure the subsistence for ourselves and families, and bearing the name, as we have heretofore, of law-abiding citizens."[29]

Not long after the violence in December, County Commissioner Juan N. García anonymously wrote to the Mesilla *Independent* claiming "some of the

[29] *El Paso Troubles in Texas*, pp. 109-10.

reports are true, some are false." García felt the need to distinguish *Mexicanos* on the side of the law from those who participated in the mob. He specifically singled out, Gregorio García, Telesforo Montes, Porfirio García, Jesús Cobos, Maximo Aranda, Pablo Mejía, and Pablo Romero as law abiding *Mexicanos*. J. N. García also included in the number of "citizens of Mexican origin who stood by the side of the law and order at the risk of their lives." Distinguishing himself from the criminal element enabled him to emphasize what he believed to be the defining characteristic of the mob: the ignorance of its leaders. In a disparaging tone, he ridiculed Chico Barela stating that he "cannot tell the first letter of his name, and he is the most intelligent among them."[30]

The fragile hegemonic process brought with it a number of points of contention, which had been building up for years. "Trouble among the people," Tays later testified, "had arisen there before." Tays explained that there had been "reports of threats and riot… to rise up against the legal authorities," and that such attitudes "were prevalent among the Mexican citizens."[31] It manifested itself, for example, in the resistance against the mandatory school law led by Antonio Borajo the parish priest. Even Telésforo Montes, a one time ranger and a "law abiding Mexicans," refused to comply with the law. His refusal and his record of official service to the state undermined the assertion that opposition to the school

[30] Ibid., 97-98.

[31] Depositon, John B. Tays, "Motin de Mexicanos contra las autoridades Americanas en Isleta y San Elizario, Texas."

act was simply the result of the sinister activities of Borajo, the one many Anglos believed had exercised a wicked influence on the docile Mexican population just prior to the Salt War.

Valley residents and freighters had been accustomed to supplementing their incomes by freighting salt to communities as far as Chihuahua, Mexico. People like Gándera and Juárez defiantly proclaimed they would freight salt in September. Undetected but no less defiant, Antonio Barela also freighted salt sometime in November. The larger freighting party organized in December was doing more than asserting a right to salt but reclaiming a quickly dissipating authority over the region. The struggle for salt became a symbol of an emergent Anglo hegemonic order, a system fast replacing the authority established through Spanish and later Mexican dominance in the region understood in the statement: "from time immemorial." *Mexicanos* defiantly asserted their rights to commons, through a long established land tenure system. Thus, salt began to symbolize the diminishing access and loss of control of the political process and the subsequent reduction in economic opportunity that *Mexicanos* faced as Anglos established their dominance in the region.

The investigations did not confirm, despite all the declarations to the contrary, an organized invasion from the other side of the river. Hatch believed that there were at least four companies with Barela leading one of them. Hatch

surmised that Blair, had only identified the one led by Barela, therefore believing that *Mexicanos* from the other side did not participate in the events. Thus it was not an international conflict as many had claimed. There were indeed "Mexicans" from the other side who took part in key ways and at critical moments. The majority of participants were spectators, armed only because most men traveled that way.

*Mexicanos* who took part in the Salt War have been represented as forming nothing more than a mob.[32] Only a small portion of the *Mexicano* community took up arms, although many more suffered throughout. Participants in the San Elizario Salt War had distinct motivations, both individual and collective, for taking up arms against particular Anglo merchants and political leaders. Moreover, the diversity within the *Mexicano* community revealed competing strategies for survival and resistance as each negotiated the dramatic changes of the era. The residents of Ysleta, San Elizario and Socorro exhibited racial, ethnic and class diversity, as in the case of the Garcías, all of who played prominent roles on both sides of the battle. Vidal saved his brother G. N. García's life when he rescued him from the house where he was being held under guard.

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[32] A number of Marxist scholars have contested the limited analytical value of the category of "mob." E. P. Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century," in *Customs in Common: Studies in Traditional Popular Culture* (New York: The New Press, 1993); E.P.Thompson, *The Making of the English Working Class* (New York: Vintage Books, 1966); George Rudé, *The Crowd in History, A Study of Popular Disturbances in France and England, 1730-1848* (London: Lawrence and Wishart, 1981).

Earlier Vidal García had assumed that his brother perished with Ellis. Upon discovering he still lived, Vidal rescued his brother ordering him to remain in his home until after Howard and the others had been executed.[33]

*Mexicanos*, especially those that played key roles as "leaders" were, for the most part, unnamed and therefore easily conflated into the mob. Blair, for example, in only a few instances mentioned any participants by name. Francisco Barela is one of the most prominent among the few participants that appear in the reports. Barela achieved this notoriety primarily for his role in intervening on behalf of Blair and later the rangers. Anglos were quick to designate Barela as the single or primary leader of the mob.[34] Prominent individuals in the "border troubles" have proven intractable in conforming to the historical interpretation of the border *caudillo* or strongman, as in the case of Barela who is often labeled as either a border bandit or military leader, rogue or patriot.

The *Mexicano* community took up arms to resist the enclosure of long held communal property -to defend, in other words, their "moral economy." They sought to establish justice and address the serious violations by the region's leading Anglos. Informed by a distinct legitimizing tradition, or moral economy,

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[33] *El Paso Troubles in Texas*, p. 108.

[34] "It is likely that the importance of charismatic leadership (often by outsiders)," Gavin Smith explains, "has been exaggerated largely because of the requirements of post hoc account-giving, which tends to conform to the structural requirements of narrative order and above the structural requirements of the movement being described." Gavin Smith, *Livelihood and Resistance: Peasants and the Politics of Land in Peru* (Berkeley: University of California Press, 1989): 27.

*Mexicanos* acted decisively in opposition to Anglo incursions. *Mexicano* action reflected what E. P. Thompson has interpreted as the moral economy of collective resistance, or "a consistent traditional view of social norms and obligations, of the proper economic functions of several parties within the community, which taken together, can be said to constitute the moral economy of the poor."[35]

Salt, including the ownership of the salt lakes and the right to freight it, was indeed one of the most critical points of contention. Only a small number like Solomon Schutz refuted the "salt theory," emphasizing the personal feud between Cardis and Howard. The implication being that Cardis exerted an extraordinary amount of political, and decidedly negative influence, on a docile *Mexicano* population. As private feuds unfolded, collective reprisals were visited on the region. Most observers and participants agreed that the struggle over the communal rights to the Guadalupe Salt Lakes *Mexicanos* claimed by law and custom was the major cause. Blair's opinion was more typical. He was convinced the conflict began with Howard's attempt to locate the salt lakes "which the

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[35] E.P. Thompson, *Customs in Common, Studies in Traditional Popular Culture* (New York: The New Press, 1993), p. 188. Thompson asserts that a more rigorous historical inquiry, that transcends stereotypes, can establish "in almost every...crowd action some legitimizing notion." Thompson's investigation of collective direct action in 18th century England argues for a "moral economy" in which "the men and women in the crowd were informed by the belief that they were defending traditional rights or customs; and, in general, that they were supported by the wider consensus of the community. On occasion this popular consensus was endorsed by some measure of licence afforded by the authorities. More commonly, the consensus was so strong that it overrode motives of fear or deference. See also E. P. Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century," *Past and Present*, 50 (1971), 76-79.

Mexicans had been obtaining salt from time immemorial for their own consumption and for sale in Mexico as well."[36]

The violence resulted as a response to a history of abuses perpetrated by Anglos who represented the worst transgressions of social arrogance and political excess within the context of the expansion of merchant capital. The Mexican reprisals were directed at representative figures -of law, commerce and land speculation. These were partly justified by the language and ideology found in legal apparatuses such as the federal and state constitution and US treaties signed with Mexico in 1848 and 1853 as well as traditional practices and values of the community.

[36] Report of Capt. Thomas Blair, December 19, 1877, "Disturbances at El Paso, TX September 1877-May 1878," "Special Files" of Headquarters, Roll 14.

# 7. WRITING VIOLENCE IN THE US-MEXICO BORDERLANDS

> There is no document of civilization which is not at the same time a document of barbarism. And just as such a document is not free of barbarism, barbarism taints also the manner in which it was transmitted from one owner to another. A historical materialist therefore dissociates himself from it as far as possible. He regards it as his task to brush history against the grain.
> Walter Benjamin[1]

Although much attention has been paid to the various episodes of violence along the US-Mexico Border, there has been too little focus on the number of investigations undertaken by the Mexican and US governments following outbreaks of extreme conflict. Throughout the period following the US-Mexico War persistent conflict commanded the attention of policy makers, diplomats, military authorities, local officials and border residents all concerned with minimizing the frequency of conflict along the border. Between 1859 and 1878 the US organized almost a dozen investigations on the national and local levels.[2]

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[1] Walter Benjamin, *Illuminations, Essays and Reflections.* Hannah Arendt, ed. (New York: Schocken, 1969): 256-7.

[2] The investigations resulted in collections of documents that include the following: "Protection of the Frontier of Texas" ordered to be printed January 6, 1859, provides "copies of correspondence between the US officers and Governor Runnels, and similar correspondence between the Secretary of War and General Twiggs." "Difficulties on Southwestern Frontier" ordered to be printed April 2, 1860 includes documents from January 13, 1859 to March 26, 1860 regarding "the difficulties on the Southwestern frontier." This selection of letters primarily focuses on the Cortina troubles. "Troubles on Texas Frontier," ordered to be printed on May 5, 1860 compiles letters from the Secretary of War "in relation to the troubles on the Texas frontier, since his last communication to the House on this subject," covering a period from March 1, 1860 to April 26, 1860. "Depredations on the Frontiers of Texas," ordered to be printed on December 16, 1872, inquires into the depredations on the Texas frontier. "Texas Frontier Troubles," ordered to be printed on February 29, 1876, presents the work of a special committee appointed by the House of Representatives on January 6, 1876, "to inquire into the causes and the nature and extent of these depredations, and the measures that might prevent their continuance." "Mexican Border

Mexico, on the other hand, countered with a substantial border investigation of its own conducted in 1873. The Mexican government considered their investigative efforts so urgent a retort to the official US investigation that they translated and distributed their findings throughout the United States two years later.

While the sources and impact of *Mexicano*-Anglo conflict remain a topic of scholarly debate, the organized efforts to collect all available information regarding the causes and remedies of violence, solutions that would be beneficial to the national projects of both nations, have been largely overlooked. Literature on the rangers, for instance, has been notoriously uncritical about its sources, making liberal use of the documentation made available following the investigative efforts examined in this chapter.[3] Political histories of the border, on the other hand, have chosen to focus on the successes and failures of key border

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Troubles," ordered to be printed on November 13, 1877, includes reports from the Secretaries of State and War regarding "Mexican border troubles." "Texas Border Troubles," ordered to be printed on January 12, 1878, archives testimony taken by the Committee on Military Affairs. "Relations of the United States with Mexico" ordered to be printed on April 25, 1878 is an extensive collection of documents undertaken by the Committee on Foreign Affairs providing an "inquiry into our entire relations with Mexico." "El Paso Troubles in Texas" ordered to be printed May 28, 1878 transmits the majority and minority reports of the investigations into the San Elizario Salt War. An additional document provided the report submitted by Colonel Hatch.

[3] Walter Webb, *The Texas Rangers,* (Austin: The University of Texas Press, 1989); Frederick Wilkins, *The Legend Begins: The Texas Rangers, 1823-1845* (Austin: State House Press, 1996); Frederick Wilkins, *Defending the Borders: The Texas Rangers, 1848-1861* (Austin: State House Press, 2001); Frederick Wilkins, *The Law Comes to Texas: The Texas Rangers, 1870-1901* (Austin: State House Press, 1999); Charles M. Robinson, *The Men Who Wear the Star: The Story of the Texas Rangers* (New York: The Modern Library, 2001); Robert M. Utley, *Lone Star Justice: The First Century of the Texas Rangers* (Oxford: Oxford University Press, 2002).

personages including notable diplomats, military officers, and political leaders.[4] Without a doubt official inquiries documented and narrated the variety and frequency of violence along the US-Mexico Border, yet they have not been critically reviewed for playing a key role in the nature and scope of border warfare.

The reports that the frontier citizens and officials wrote, the claims they put forward for reparations, the exaggerated newspaper accounts, the depositions and legal writs, as well as the anecdotes collected from popular sources, all became fodder for later investigations. Frontier settlers clearly were agents and narrators of frontier violence. Michele-Rolph Trouillot's distinction between three uses of the term history underscores the complex role of history in border conflict. People are both actors and narrators actually participating in the sociohistorical processes, the first meaning of history. They also share or produce knowledge about that process, the second meaning. The complications of "history" consequently produce a third meaning in "the overlap between the sociohistorical process and our knowledge of it."[5]

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[4] James F. Rippy, *The United States and Mexico* (New York: Alfred A. Knopf, 1926); Carl Coke Rister, *The Southwestern Frontier, 1865-1881* (Cleveland: The Arthur H. Clark Company, 1928); Robert D. Gregg, *The Influence of Border Troubles on Relations Between the United States and Mexico, 1876-1910* (Baltimore: Johns Hopkins Press, 1937).

[5] The "vernacular use of the word history," according to Trouillot, suffers from a "semantic ambiguity" that includes "the facts of the matter and a narrative of those facts, both 'what happened' and 'that which is said to have happened.'" Trouillot adeptly uses the story of the Alamo to illustrate his point. Although Santa Anna defeated the rebels at the Alamo after a twelve day siege, he ignominiously was routed and ultimately captured at San Jacinto on April 21. Santa

By the 1870s, US investigative committees began to introduce their final reports with a brief historical overview that narrated a view of frontier conflict with a number of shared assumptions. The investigations built upon a narrative that became a critical part of each investigation that followed. At first glance, these investigations, taken as a whole, reveal, as Ranajit Guha has ably stated, how historiography operates as "a vital discourse of the state."[6] The investigations promulgated competing interpretations of the causes, remedies and consequences of the turmoil that defined the region. Naturally, each nation represented the source of the violence as emanating from the indifference or, in some cases, the machinations of the opposing government and its citizens. Investigations provided critical support for a number of diplomatic initiatives and foreign policy imperatives.

Investigative projects collated a variety of documents produced during episodes of conflict. The effort to write violence required an archive. The establishment of such an archive on behalf of the US had two major sources. The

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Anna recovered from the defeat at San Jacinto regaining the presidency four more times, but according to Trouillot he lost the battle he had won at the Alamo. "Houston's men had punctuated their victorious attack on the Mexican army with repeated shouts of 'Remember the Alamo! Remember the Alamo!' With that reference to the old mission, they doubly made history. As actors, they captured Santa Anna and neutralized his forces. As narrators, they gave the Alamo story a new meaning." The Alamo became a trial of heroes rather than a brutal defeat. The battle cry that drove the men to victory at San Jacinto, "reversed for more than a century the victory Santa Anna thought he had gained in San Antonio." Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995): 1-3.

[6] Ranajit Guha, *Elementary Aspects of Peasant Insurgency in Colonial India* (Durham: Duke University Press, 1999): 2.

first were the legal claims by Texas for re-imbursement for its countless sacrifices in providing for its own defense. The second, and by far the most important, were the formal investigations undertaken by the US Congress. Both nations established such an archive, each with varying degrees of success. An archive not only in the traditional sense of a collection of documents, the kind historians generally refer to as primary sources. But, more importantly, an archive in the additional sense suggested by Foucault. An archive, as Foucault argues, is "not the totality of texts that have been preserved by a civilization or the set of traces that could be salvaged from its downfall, but the series of rules which determine in a culture the appearance and disappearance of statements, their retention and their destruction, their paradoxical existence as *events* and *things*."[7] Thus, in a profound sense, once combined these texts "played a part in the reality they speak of –and that, in return, whatever their inaccuracy, their exaggeration, or their hypocrisy, are traversed by it: fragments of discourse trailing the fragments of a reality they are apart of."[8] Few will argue that archives are, as Nicholas Dirks reminds us, "contaminated by interpretation and selection." Insisting that archives are too often viewed as a space "free of context, argument, ideology –indeed history itself," Dirks emphasizes that they bear the "ideological birthmarks" of a

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[7] Michel Foucault, *Aesthetics, Method, and Epistemology*, vol. 2 of *The Essential Works of Foucault 1954-1984,* James D. Faubion, ed. (New York: The New Press, 1998): 309.

[8] Michel Foucault, *Power*, vol. 3 of *The Essential Works of Foucault 1954-1984,* James D. Faubion, ed. (New York: The New Press, 2000): 160.

genealogy that "encodes a great many levels, genres, and expressions of governmentality."[9] The advantages enjoyed by the US enabled the establishment of a "Texas text," a discourse that crept into the documentation, organization and interpretation of the archive that subsequently supported a great deal of celebratory historiography. Thus, the archive is more than a monument containing a specific US past, but a contested, and therefore contingent process in service of an enduring settler colonial project.

In each document as well as in the combination of texts not only was a historiography produced but ethnography of frontier violence was made available as well. Interestingly enough, these historiographies and ethnographies of border conflict emerged at a moment when the disciplines of history and anthropology were just evolving. Most importantly, the combined effect of the investigations supported the infantalization and criminalization of *Mexicanos* as a people and a nation, further legitimizing processes of despoliation. The narrative built on the work of previous committees relying on the ideological sediment that named *Mexicanos* and Indigenous people as criminal and politically immature. As

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[9] Nicholas B. Dirks, "Annals of the Archive: Ethnographic Notes on the Sources of History" in Brian Keith Axel, *From the Margins: Historical Anthropology and Its Futures* (Durham: Duke University Press, 2002): 48; 59. The quote, "ideological birthmarks" is from Ranajit Guha and the "Prose of Counter Insurgency." For an important essay that traces the historical development of the archive and seminar as gendered practices for establishing the discipline of history, see Bonnie G. Smith, "Gender and the Practices of Scientific History: The Seminar and Archival Research in the Nineteenth Century" *American Historical Review* 100:4 (October 1995): 1150-1176.

nationalist discourses, they justified conquest, narrated the "legitimate" rights of the victors, defined the frontier or settler ideal, and vilified autochthons.[10]

The historiography and ethnography forged through the series of investigations reflects a "double and simultaneous textual construction," similar to the representational machine Ricardo Salvatore argues obtains in the case of representations of Latin America as a whole. The double construction renders "the other (South America) in terms of a perennial deficit or vacuum, and ascribing meaning to 'the mission' (the role of the North Americans in the region)." Using Stephen Greenblatt's notion of a "representational machine," Salvatore points out that

> the objective is not to construe yet another reified version of empire but to propose an analytical framework that can accommodate multiple forms of imperial engagement, relate cultural anxieties and questions of political economy in the United States to the discursive production of empire, and attribute its due importance to the changing technologies of reproduction and display.

[10] The US Southwest as a region has been the focus of various foundational historical productions dating as far back as 1820. "History," Joan Scott explains, "has been largely a foundationalist discourse" in the sense "that its explanations seem to be unthinkable if they do not take for granted some primary premises, categories, or presumptions." "These foundations (however varied, whatever they are at a particular moment) are unquestioned and unquestionable; they are considered permanent and transcendent. As such they create a common ground for historians and their objects of study in the past and so authorize and legitimize analysis; indeed analysis seems not to be able to proceed without them." Joan Scott, "Experience," in Judith Butler and Joan Scott, eds., *Feminist Theorize the Political* (London: Routledge, 1992): 26. Gyan Prakash defines foundational historical texts as those "ultimately founded in and representable through some identity -individual, class, or structure- which resists further decomposition into heterogeneity." Gyan Prakash, "Writing Post-Orientalist Histories of the Third World: Perspectives from Indian Historiography" *Comparative Study of Society and History* 32 (April 1990): 397.

Critical here is the assemblage of representations that "are collections of dispositives or devices (each one with its own logic of representation) organized for the production of cultural difference." Through various technologies and strategies of circulation, representational machines "translate an undifferentiated succession of local, individual, concrete events of encounter into larger, more meaningful narratives –narratives that convey meaning to formulations of nation, empire, race, or masculinity—each culture must work with and through certain representational technologies."[11]

In the execution and production of investigations were the essential elements of colonial violence. Useful here is Jose Rabasa's notion of "writing violence," in which he suggests that colonial violence is both the physical acts of terror, or material violence, as well as the violence constituted through its process of representation. For Rabasa colonial violence is composed of an aesthetics, epistemology, and ethics. An aesthetics of colonial violence refers to the epic topoi made available in western cultural systems; ethics include the legislative enactments that regulate conquest and occupation; and epistemologies of colonial violence are systems of knowledge that define "indigenous knowledges as irrational, superstitious and idolatrous." Anglos exercised material violence in the various efforts to remove, pacify, or "bring to justice" wayward or intractable

[11] Ricardo Salvatore, "Representational Machines of Empire," in Gilbert M. Joseph, Catherine C. Legrand, and Ricardo D. Salvatore, eds., *Close Encounters of Empire: Writing the Cultural History of US-Latin American Relations* (Durham: Duke University Press, 1998): 71-73.

Indians and Mexicans. As Anglos justified their right to expand in what they believed to be an undeveloped territory; they celebrated acts of colonial domination as necessary and legitimate (even heroic); represented indigenous inhabitants as degenerate and less than human; and produced legal and cultural codes that justified their domination.[12]

One of Congress' first efforts to investigate the persistent problem of violence on the Texas frontier began in 1858. On December 23, Secretary of War, John B. Floyd complied with a request by the House of Representatives to provide "copies of all the correspondence in this department between the officers of the government of the United States and Governor Runnels of Texas,… also, similar correspondence between the Secretary of War and General Twiggs." The material submitted by Floyd consisted of a collection of letters dated from January to December of 1858, that outlined the response to the incursions carried out by Indigenous peoples. Floyd penned a brief note included with the selection simply identifying the papers being transmitted.[13] What is noteworthy about this early collection of documents titled, the "Protection of the Frontier of Texas," is the lack of any significant editorial apparatus. A brief prefatory note penned by Floyd that did little to actually contextualize the events referred to in the letters

[12] José Rabasa, "Of Zapatismo: Reflections on the Folkloric and the Impossible in a Subaltern Insurrection," in Lisa Lowe and David Lloyd, eds., *The Politics of Culture in the Shadow of Capital* (Durham: Duke University Press, 1997): 423.
[13] U.S. House, *Protection of the Frontier of Texas*, 35th Cong. 2nd Sess., Ex. Doc. 27, pp. 1-77.

accompanied this early effort. The lack of any specific editorial intervention signaled only a minimal interpretive intrusion in the collection of documents. The texts themselves convey the unfolding pattern of conflict with little to no embellishments.

On March 29, 1860 Floyd had a second occasion to provide President James Buchanan and the House of Representatives another collection of documents. Complying with a House resolution issued the first of March, Floyd transmitted "all the information in possession of this department concerning the difficulties on the southwestern frontier." The papers contained vital information regarding a number of the "difficulties" that plagued the Texas frontier from January 1859 to March 1860. A great many of the documents resulted from the Cortina revolt and were collected to provide more information about its possible resolution. This compendium of letters and documents, much like the one that preceded it, also did not contain any significant editorial framework. Rather, it simply collected a selection of the transmissions between all the concerned parties. The correspondence selected documented the entire Cortina conflict.[14]

The bureaucratic exigencies of submitting vital communications between officials could easily be accomplished in a short period of time and was by no means unusual. In some cases, just a few documents were forwarded to complete the range of relevant texts, providing as full an insight as possible. Such was the

[14] U.S. House, *Difficulties on Southwestern Frontier*, 36th Cong. 1st Sess., Ex. Doc. 52, pp. 1-147.

case when President Buchanan complied with a request by the Senate on February 23, 1860.[15] Similarly, the Secretary of War forwarded a few pertinent documents to the House a month later.[16]

The Senate's motivation for requesting documents was "the alleged hostilities existing on the Rio Grande, between the citizens or the military authorities of Mexico and that State [Texas]." This compilation of documents bore the distinction that the Secretary of War provided an interpretation of the events described. "In preparing the papers called for by the resolution," Secretary Floyd explained, "I have thought it might be a matter of interest, perhaps importance, to have a succinct statement of the origin and progress of the troubles on that border." Floyd's intervention offers "a synopsis of the transactions," making use of all the papers from his office, including many that had not been requested and therefore not sent by the Senate. "It will appear from these documents," Floyd asserted, "that nothing could exceed the contrariety of statement of opinion, even among those having the best opportunity of knowing." Convinced that the difficulties confronting the border were very serious and likely to worsen, Floyd briefly outlined General Twigg's decision to abandon Forts Brown and McIntosh as well as Ringgold Barracks, all three forts situated along

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[15] U.S. Senate, *Message of the President of the United States*, 36th Cong. 1st Sess., Ex. Doc. 21, pp. 1-22; U.S. Senate, *Message of the President of the United States*, 36th Cong. 1st Sess., Ex. Doc. 24, pp. 1-3.

[16] U.S. House, *Difficulties Between the People of Texas and Mexico*, 36th Cong. 1st Sess., Mis. Doc. 38, pp. 3-7.

the Rio Grande and each staffed with a single company of troops. Floyd's brief summary of the major events comprising the Cortina revolt, noting the turning point in the conflict as December 24, 1859, when Cortina was soundly routed and forced to flee to Mexico. The "disorder and growing hostility" that Floyd described compelled him "to order a concentration of all the force upon that frontier which the exigencies of the service elsewhere would allow."[17]

Once again, on March 26, 1860, the House requested, "all documents received" in the office of the Secretary of War "in relation to the troubles on the Texas frontier." Although the collection of documents Secretary of War Floyd forwarded to the House contained no interpretive apparatus as did his previous package, the one he sent on May 3, 1860 contained a substantial report by Major Samuel Heintzelman along with other relevant documents. Originally written as a report to Colonel Robert E. Lee, the document penned by Heintzelman contains an important narrative of the substantial portion of the Cortina revolt.[18]

### *The Claims of Texas*

Following the US-Mexican War, Texas persisted in seeking substantial support, and in some cases, restitution from the federal government regarding Texas expenditures for frontier defense. The state government claimed that they had not received well-deserved military support or compensation for the costly

[17] U.S. Senate, *Message of the President of the United States*, 36th Cong. 1st Sess., Ex. Doc. 21, pp. 1-5.
[18] U.S. House, *Troubles on Texas Frontier*, 36th Cong. 1st Sess., Ex. Doc. 81, pp. 1-105.

defensive forces they themselves put into the field. The state of Texas believed it was owed money. One solution the State pursued to solve its frontier problem was the raising volunteer companies of rangers. After putting volunteers into the field at key moments of crisis, Texas sought reimbursement from the federal government for their expenses.[19]

In 1854 depredations became such a problem for the state that General Persifer F. Smith, commanding General of the Department of Texas, was authorized to call upon the governor for aid and to muster volunteers for service. Between November 1854 and September 1860, Texas mustered volunteer troops to take the field "for the purpose of suppressing Indian hostilities on the frontiers of Texas." One such volunteer effort was the ranger company mustered by Governor Elisha M. Pease and led by James Callahan during the summer of 1855, ultimately leading to the sack of Piedras Negras. Not only was the state of Texas clamoring for compensation, a number of litigants, all residents of Piedras Negras, were hoping to be paid for losses they sustained during the Callahan raid.[20]

By November 1857, the Texas State legislature approved a bill that "inaugurated the project of seeking from the United States reimbursement of expenditures made by the State on account of its rangers or volunteers." Texas pursued its claim despite charges that many of its vouchers and other evidence

[19] U.S. House, *Claims of the State of Texas*, 42nd Cong. 2nd Sess., Ex. Doc. 277, pp. 1-180.
[20] Ibid., 1.

had been called into question. The turmoil of the US Civil War had prevented the auditors for the state and the national government from investigating the matter of claims. The confusion of the war meant that many of the records were either lost or destroyed. The state's efforts, only temporarily interrupted, were once again renewed by 1871. On April 30, 1872, the House Committee on Appropriations ordered the publication of the "Claims of the State of Texas." Upon resuming the investigation the federal auditor's examination of the evidence made public the report "Claims of the State of Texas" allowed for only $20,225.35, leaving a balance of $202,918.54 to amount for unaccepted claims.[21]

### *The Robb Commission*

On July 5 and 6, 1872 Thomas P. Robb, F. J. Mead, and Richard H. Salvage gathered at New Orleans, while on their way to Texas. The three men had been authorized by the President and by resolution of both houses of Congress, "to inquire into the extent and character of said depredations, by whom committed, their residence or country inhabited by them, the persons murdered or carried into captivity, the character and value of the property destroyed or carried away, from what portions of said State, and to whom the same belong." The Commissioners began their investigation into "the depredations having been committed for several years past upon the frontiers of the State of Texas, by bands

[21] *Claims of the State of Texas*, p. 33; 66.

of Indians and Mexicans" through advertised "public sessions" that began on July 30 and ended on October 3, 1872.[22]

The Robb Commission, as it came to known, classified the depredations, the major object of their investigation, into three types -cattle stealing along the entire length of the Rio Grande; Indian depredations in the same region; and Indian depredations in north and northwest Texas. Cattle stealing was further distinguished between that which occurred between the mouth of the Rio Grande and Laredo and thefts which took place from Laredo to El Paso. Although the Commissioners readily acknowledged that all portions of the state required their due consideration, they were forced to concede that the region west and to the north would "call for the most careful examination in the future." The three investigators covered territory from Point Isabel to Rio Grande City with much of their time spent in Brownsville.[23]

Despite an initial admission of the limitation of the investigation, the US Commissioners to Texas put forward what they believed was a rather definitive assessment of the causes of unrest in the region. "In submitting a report of their investigations into the alleged outrages committed on the persons and property of the citizens of Texas by armed bands of Mexicans and Indians, which is necessarily *ex parte* in its character," Robb, Mead, and Salvage concluded, "the

[22] U.S. House, *Depredations on the Frontiers of Texas*, 42nd Cong. 3rd Sess., Ex. Doc. 39, pp. 2.
[23] Ibid., 1-3.

commissioners are thoroughly impressed with its shortcomings in fully grasping the serious complications which have disturbed the peace and quiet of our southwestern border for so many years past."[24]

Despite their initial caution, the US Commissioners had occasion to reference another important collection of documents. "Extending back for twenty years and over a superficies exceeding one-half of the entire area of territory in the state of Texas," the Commissioners asserted, "these frontier troubles are traceable directly to an unwise system of legislation regulating the commerce of the right bank of the Rio Bravo, which has made that frontier a rendezvous for the lawless, and a base of operations for an illicit traffic with the interior of Mexico and the United States, detrimental alike to the commercial prosperity of the two governments, and to the unorganized condition of society on the two banks of the Rio Grande, its natural sequence."

Like previous investigation, the Robb Commission took up the issue, and legacy, of the Cortina War. Remarkably, the Commission linked the Cortina War to the establishment of the Zona Libre in March of 1858. "To such an extent did this decree encourage smuggling and lawlessness," the Commission explained,

> that eminent Mexican authority, at one time, estimated the floating population in the city of Matamoras [sic] at over forty thousand; and so bold were these outlaws in their operations, that within two years after the decree establishing this 'free zone' was issued, they, to the number of

[24] The remaining discussion regarding the Robb Commission is taken from *Depredations on the Frontier of Texas*, pp. 39-41.

> three or four hundred, under the leadership of General Juan N. Cortina, crossed from Mexico into Texas, attacked the city of Brownsville, murdered several citizens, engaged the United States troops between that city and Ringgold Barracks, plundered the country through which they passed, and retired to Mexico.

In addition, Robb, Mead, and Salvage laid the responsibility for frontier lawlessness on the powerlessness of "civil authorities on the right bank of the Rio Bravo" who were notorious at being "unable to enforce law and suppress violence within its own borders," hoping to determine to what extent the perpetrators were "public enemies" or "private malefactors."

The solution proposed by the Commission included "the employment of a sufficient force of cavalry to enforce law and protect life and property on the Rio Grande." Fully anticipating that organizing a cavalry force meant depleting already existing forces stationed along the ring of forts first established after the war, the Commission proposed the raising of a volunteer force. "It's recommended," the Commissioners proclaimed, "that a regiment of volunteers be raised, on the western frontier of Texas, for its protection, to be officered by officers of the Regular Army of the United States, detailed for the purpose, and to be used under the direction of the commanding general of the Department of Texas." The Regular Army would provide strict discipline and "restrain the very natural tendency of volunteers to avenge indiscriminately individual wrongs."

Although the Commission admitted that the two republics had a "long-established friendship," it stressed that Mexico "has been rent with civil commotion, conspiracies, and insurrections" since her independence from "the standard of Castile." While recognizing the internal turmoil that weakened the reach of the arm of the Mexican state to the furthest reaches of the northern frontier, the Robb Commission placed much of the burden of violence on America's southern neighbor. "The commissioners have endeavored to point out with impartiality, in connection with the conduct of that government, the prime causes of these frontier complications, which, in their opinion, are ingrafted [sic] in the long-established frontier policy, and have been enforced by the army of that republic." The Robb commission introduced and codified many of the persistent themes, such as Mexican imbecility and collusion that would develop throughout the period.

### *The Mexican Committee of Investigation*

In response to the work of the 1872 Robb commission, the Mexican Government countered with "the appointment in the neighboring country of a similar commission." On October 2, 1872, the Mexican Congress appointed Ignacio Galindo, Antonio García Carrillo and Augustín Siliceo to investigate a portion of the border that totaled close to four hundred fifty miles. The Committee stated, "the Mexican Government wanted to have the matter investigated on its

side, and as impartially as possible, for it felt the necessity of being prepared against the plots of some malicious claimants and other ambitious private parties in this country." In addition to informing the US public of Mexico's views of border conflict, the Committee hoped to reveal how depredations of all sorts impacted *Mexicanos*.[25]

The Committee identified public archives that "they ransacked…most industriously." They interviewed close to three hundred witnesses producing some 17,688 pages of manuscript. They completed and published their work in December 1873. The Committee argued that "all possible difficulties [that] have been marring the relations of the two lines" can be divided into four epochs, including 1848-1858; 1859-1860; 1861-1865; 1866-1872.[26] In addition to cattle and horse theft, the Committee believed it incumbent on them to investigate the combinations "for evils of a very different nature from horse stealing." Thus, they insisted the recovering of fugitive slaves, smuggling and the discharging of firearms across the river fell under their investigative purview.[27] Taking up the issue of invasions organized from Texas, the Committee investigated four types: those for the purpose of robbery; those which proposed political pretenses to

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[25] *Reports of the Committee of Investigation, Sent in 1873 By the Mexican Government to the Frontier of Texas*, translated from the Official Edition Made in Mexico, (New York: Baker and Godwin, Printers, 1875): iii-iv. I have relied heavily on the translated text. The Spanish language version contains useful appendices that are absent from the translation.
[26] Ibid., 205.
[27] Ibid., 178.

execute aggressions against Mexico; open hostility towards Mexico; and interventions by the United States in the "internal questions of Mexico."[28] However, the inquiries made by the Committee were not limited to cattle theft. In fact, the broad scope of the investigation was motivated by the wide variety of conflict that consumed the border since the conclusion of peace between the two nations. The Committee presented its findings as very thorough, providing important insights regarding the threats to person and property of populations on both sides of the river. Two years later a translated edition was printed and distributed in the United States. Their goal in producing a translation was to disabuse US officials and citizens of the misperceptions and uninformed apprehensions they labored under regarding the conditions of the frontier.

A number of scholars have referred to the Committee's report, drawing from it important details to corroborate events. Unfortunately, the more critical interpretive contributions by the Committee regarding the source, organization and impact of violence along the border, have been largely ignored. Secondary works have favored the number of US investigations as well as the memoirs of prominent Texas Rangers, notably John Ford.[29]

Despite this oversight, the Committee's extensive evidence that it collected and its interpretation of violence along the frontier merits renewed

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[28] Ibid., 185.

[29] John Salmon Ford, *Rip Ford's Texas*, Stephen B. Oates, ed., (Austin: University of Texas Press, 1987).

consideration. Differing in large part from the number of investigations organized by the US, the *Reports of the Committee of Investigation* reveals the extent of the racialization and the criminalization suffered by *Mexicanos*. The existence of the Reports speaks to the competing "discursive regimes" regarding frontier conflict during the integration of the region into the US economic and political orbit.

The report of the Committee painstakingly refutes the claims of previous US investigations. The Committee directly challenged the assertions put forward by the Robb Commission. According to Galindo, Garcia Carrillo and Siliceo, the conclusions of the Robb Commission were patently unsupported "in consequence of an enormous exaggeration." By contrast the Mexican Committee argued that *Mexicanos* endured more from the depredations of lawless elements of all races. Mexican communities, along the border, the Committee investigators concluded, were constantly threatened by the "pernicious evils" that overran the region. The Committee reasoned that since "the moral condition of our frontier is far superior to that of Texas, it does not seem proper that the causes of the existing criminality of the counties situated alongside the Bravo should be looked for on the Mexican border."[30] More to the point, the Committee exposed "the propensity which has existed, upon the part of the United States frontier, to deprecate the rights of Mexico… as also the tolerance of the Texan authorities, a tolerance which, in

[30] *Reports of the Committee of Investigation, 1873*, p. 76.

certain cases, has amounted to complicity."[31] Ultimately, the Committee had little difficulty in attributing the activities of banditti along the border to the United States.

In order to substantiate the claims it made, the Committee investigated the "disorganization on the United States frontier" by closely examining the role of state and local authorities. Specifying four aspects of Texas authority, including legislation, public administration, police, and administration of justice, the Committee suggested that the legal apparatus was deficient, failing to provide assistance for victims.[32] Texas authorities failed "to prevent schemes" and were equally incapable of providing an adequate remedy to theft. Indeed the legal system, according to the Committee, was often a greater barrier to recovering property due to the imposition of heavy costs in returning stolen goods to their rightful owners. Examining the laws of Texas as a strategy to determine the extent and progress of cattle stealing, the Committee focused on the legitimacy of the brand, the necessity for bills of sale and the specific procedures for shipping cattle.

The Committee addressed the persistent complaint of US officials regarding the failure of Mexican authorities to effectively intervene by inquiring into "the conduct of the Mexican authorities." The Committee recognized the

[31] Ibid., 184.
[32] Ibid., 104-110.

interest in an efficient and effective effort by Mexican authorities to end cattle theft operations, especially from Mexican proprietors who had a self-interest in protecting their own economic investments. Not only were Mexican authorities able to prevent thefts and capture thieves, unlike their Texas counterparts, they were also able to resolve disputes much more quickly and with fewer incurred expenses.

One of the most important aspects taken up by the Committee was "the conditions of the cattle trade." Ultimately, the Committee concluded that the extent of cattle theft demonstrated the limited role of the Mexican frontier as a market and point of export. The Committee sought to demonstrate that "not all the cattle stolen in Texas and brought to the bank of the river were transported to Mexican territory." By closely examining the trade and traffic in cattle and hides in Matamoros, the Committee concluded that cattle and hides were not taken to the interior of Mexico but exported. Traffic in stolen animals and hides often went through Boca del Rio for example.[33] The system of the registration of hides had reduced the success of cattle theft as a whole. The registry of cattle and hides, the Committee argued, "always produced the best results" and had become more professional with the transfer to the municipal treasury in September 1870.[34] The

[33] Ibid., 91-104.

[34] The important case of Augustin Menchaca, a judge of the northern district, whose treatment at the hands of Henry Klahn and L. Shedd reveals the extent that Mexican authorities were accused of assisting or being indifferent to criminals. It also reveals the imposition of Anglo authority into

Committee insisted that the cattle industry could not have faced destruction by robbery, owing to the expansion of the cattle market following 1868 and the devastating effects of drought in 1872-73.[35]

To the extent there was cattle theft the Committee placed much of the blame for its increase on the depredations that were carried out during and after the war. Relying on what statistical evidence was available, the Committee revealed that those who put forward complaints regarding losses from 1866-1872 increased their stock despite the losses, natural or otherwise. In fact, the Committee's research indicated that Anglo ranchers were able to export more than in previous years. Confederate forces organized raids into Mexico for the purpose of theft and to punish *Mexicanos* who executed a guerrilla war, operating on both sides of the river, designed to undermine the Confederate war effort. The Committee believed that the depredations organized as part of the war continued long after it had ended.[36] Ultimately, the Committee impugned many of the complaints put forward by prominent Texas ranchers. Surprisingly, their investigation revealed strategic collaborations, as in the case of Francisco Iturria

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the Mexican system, such that Klahn and Sledd insisted on inspecting Mexican ranches with the legal authority and assistance of Mexican officials. Despite criticism of the Texas system's inefficiency and inconsistency, the Commission notes the cooperation between Ford and Mexican authorities in 1870

[35] *Reports of the Committee of Investigation, 1873*, pp. 41-47.

[36] Ibid., 65-72.

and Richard King who were exposed for profiting from the thefts while also claiming to having been victimized.[37]

The Committee viewed the category of robbery as "one of the most complicated in this investigation, embracing as it does, so many details." The Committee distinguished four types of groups involved in cattle stealing: those who were residents on both sides and who were organized in Mexico for the purpose of "carrying hostilities to the Confederates"; those American Texans who stole cattle during and after the war; those who were commissioned "to confiscate cattle belonging to confederates" and continued stealing; and finally those vagabonds "who are always in readiness to commit any crime." The final category included the Lugos, *Mexicanos* "who acquired notoriety, not so much for their participation in cattle stealing, as for their being supposed to be in communication and under the protection of General Cortina."[38]

The Committee linked the vexed question of cattle theft to larger political issues. One such concern was the "spirit prevailing on the left bank of the river," which mistakes *Mexicanos* from their nationality for their race. Yet another was the Anglo ambition to expand into Mexico up to the Sierra Madre. Following extensive and by all accounts sophisticated research the Mexican Committee of

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[37] Ibid., 164-177.

[38] Ibid., 72-91. The animosity directed at Cortina quickly and decisively transformed from intrigue into a system. The antagonism towards Cortina was a pretext for mistakenly attributing activities to Cortina, when they were properly blamed on two corps of cavalry, the Fieles de Cortina and the Exploradores.

Investigation concluded that the cattle theft that plagued the border region was nothing more than a pretext for longstanding ambitions by the US and its citizens to control additional Mexican territory beyond the boundary. The Committee concluded, "the question of cattle stealing is only an incidental one, and is doomed to disappear so soon as it shall have answered its political purposes." "What merits particular attention is," they explained, "that series of crises which have periodically occurred in their intercourse since 1848, and the invariable solution of which has been sought for in the expansion of territory. This is in substance the meaning of the question of cattle stealing."[39]

Given the assertion of the problem, the Committee also argued that, "nevertheless, both governments are certainly interested in regulating the condition of their respective frontiers." Although admitting to the "inefficiency of the local authorities on both frontiers," the Committee offered a number of suggestions, including the establishment of a federal force of military and police; expeditious action by the courts; "suppression of all kinds of expenses" for police and judicial action; and the persecution of all thefts regardless of "place where the offense may have been committed." They proposed amendments to the extradition treaty sufficient "to facilitate the action of the courts."[40]

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[39] *Reports of the Committee of Investigation, 1873* pp. 222-223.
[40] Ibid., 213-222.

Although Anglo officials presented horse and cattle theft as only occurring to or impacting Anglos exclusively, it was clear that *Mexicanos* on the Mexican side of the river also suffered from theft. The Committee asserted "it is impossible to deny that since 1848 the stealing of horses has been carried on in Mexico, for the purpose of carrying them into Texas and selling them there. It must also be admitted, that since 1862 cattle have been stolen in Texas, taken into Mexico, and sold there, but it is not true that this has been carried on to the extent alleged by the complainants in Texas; there is no doubt, however, about the fact." *Mexicanos* made every effort to recover their property despite the difficulties that such an effort entailed. *Rancheros* suffered from the depredations of independent, often indigent, cattle thieves. They also fell victim to the substantial Texas ranches that easily procured maverick cattle. *Mexicanos* were often forced to take extraordinary measures so as not to be accused of improprieties.[41]

They argued that the system of theft throughout the entire border region produced the same demoralization for both sides of the river, the practice and consequences being the same. However, the Committee distinguished between the character of stealing undertaken by *Mexicanos* and Anglos. Although the demoralization of the lower Rio Grande was not peculiar or greater than in any other region, the Committee did concede that the system of theft resulted from the participation of a great many *Mexicanos*, but this only because "the majority of

[41] Ibid., 47-65.

the inhabitants are of Mexican origin, from whence it necessarily follows that the generality of robbers there must belong to that race".[42]

The depredations associated with Mathews reveals the difficulties *rancheros* faced as a result of the criminal activity along the frontier, underscoring the precariousness of *Mexicano* life and property. The notorious horse thief, Frederick Mathews, for example, victimized *Mexicano* stock ranchers forcing them to seek redress. A complaint initiated by the town council of Reynosa on March 11, 1852, addressed to the Mexican consul at Brownsville, alleged that a band of horse thieves under the leadership of Mathews "established themselves in Las Salinas, and collected a drove of horses amounting to four hundred."[43] The town council advised the Brownsville authorities that this was not Mathews' first and only raid for horses, demanding "that something be done to stay the evil." The unsuccessful persecution of Mathews revealed the precariousness of *Mexicano* life and livelihood. The Committee learned that the consul collaborated with John Rhea, collector of customs, in publishing a notice that the horses were contraband and that anyone taking part in transporting the drove would be legally punished. Despite such efforts only a portion of the stock was recovered while en route to San Antonio. Once the property was returned to

[42] Ibid., 72.
[43] Ibid., 12.

its *Mexicano* owners, they were attacked "by bands of American highwaymen" when returning to Mexico.[44]

The Committee was forced to look into the turmoil associated with Juan Cortina. "He has been made the object of the severest criticism along the whole length of the Mexican line," asserted the Committee, "his forces have been termed organized hordes, and it was said that they penetrated into Texas for the purpose of committing the greatest depredations." The revolt of 1859 earned Cortina the animosity of Anglo elites which increased to unnatural proportions following Cortina's assistance to northern forces during the US Civil War. They interpreted Cortina's tenure on the frontier in a much more complicated manner than that proffered by most political and military leaders in Texas. In Cortina, the Committee saw nothing more than a pretext for further "producing a conflict with Mexico" to satisfy the venal machinations of a select few and the territorial expansion of a covetous nation. They concluded "that an artificial life had been given to him [Cortina] in Texas, and that when it ceased to serve as a political means for more extended purposes… he resumed his natural proportions."[45]

The Committee chose to interpret the events during the winter of 1859-1860 as no more than a revolt. Despite believing that Cortina's actions in 1859 were a turning point, their analysis of the revolt linked it to the number of evils

[44] Ibid., 15-16.
[45] Ibid., 127; 147-148.

that American citizens of Mexican birth endured. Claiming that the Cortina War was no more than a revolt allowed the Committee to assert an entirely different interpretation of Cortina's significance and his relation to the more complicated causes of violence along the border. Cortina's decision to retire to his ranch, acquiescing to the requests of several prominent persons to leave Texas, was noteworthy especially given that the safe crossing of his men in small groups took some time to organize. Not long after his men disbanded and retired to the other side, the Committee noted that the hanging "of one of his followers" compelled him to return to Texas, "giving his movement a more definite character." "It is worthy of notice that when the revolt assumed this aspect," the Committee remarked, "it was popular among the 'Texan Mexicans.'"[46]

A significant turning point in the enmity directed at Cortina took place when he formally requested a pardon. "That which at its commencement was an intrigue," the Committee asserted, "subsequently became converted into a system."[47] The Committee pointed out that while Cortina's prior history of "banditry" drew notice in explaining the character and role of the border villain, his accusers did not receive similar scrutiny. They had, in fact, achieved a certain degree of notoriety for their role in the theft and sale of horses, mules and cattle. After exhaustive research they identified Adlofo Glaevacke as someone with a

[46] Ibid., 128-129.
[47] Ibid., 154.

long history of participating in an organized ring of horse and cattle theft. Glaevacke, one of Cortina's most notable foes, enjoyed the fruits of a system of depredations that preyed upon ranches just on the other side of the river. He claimed various benefits through his successful political leadership in the border communities. While, Glaevacke obtained some notoriety, Cortina struggled unsuccessfully to expose the duplicity of his erstwhile foe and to rid himself of what he believed to be a wicked enemy.

The Committee exposed another critical issue regarding the violence attributed to Cortina: his initial revolt originated in Texas. Not only did the Cortina rebellion embark from Texas soil, but Cortina was an American citizen. The Committee drew attention to the fact that the local newspaper and the Cameron grand jury, for example, indicted Cortina for murder and treason, a legal action that could only be taken on account of his American citizenship. *Mexicano* officials were consistent in considering Cortina an American problem, in its origins and its jurisdiction. In fact, *Mexicano* authorities were zealous in preventing Cortina from using Mexico as a launching point for mischief.

Many of Cortina's band were severely persecuted by Mexican authorities. While the rank and file that rode under Cortina's banner were largely Texas Mexicans with specific grievances there were other supporters of some stature. The Committee attributed the participation of Texan Mexicans, including those of

some means and public presence, to the history of legal and illegal spoliations that had developed into "a well settled political principle" that "regarded Mexicans as enemies and an inferior race." The numerous grievances of *Mexicanos* who had made their homes on the American side of the river, were peculiar to *Mexicanos* who claimed and were denied their US citizenship rights. "The Texan Mexicans enjoyed no greater personal security than did their property," explained the Committee, "and what is remarkable, is that they were wronged and outraged with impunity, because as far as they were concerned, justice and oppression were synonymous."[48]

After highlighting the local motivations that translated into negative representations of Cortina as a bandit, their report drew considerable attention to the criminalization of *Mexicanos* on both sides of the border. According to the Committee the entire Mexican nation was under indictment as a land of rogues. Not denying the existence of a criminal element, the investigative team sought the explanation for the theft of stock and racial violence in the failure of both states to adequately police the border.

### *Texas Frontier Troubles*

A House resolution passed on January 6, 1876, approved the formation of a five-member committee ordered to investigate depredations along the lower Rio Grande. The House committee had no less a purpose than to collect "all important

[48] Ibid., 128-129; 130-131.

information bearing upon the subject" in order that "a true representation of the condition of the country from the Lower Rio Grande frontier could be gathered." The Report and accompanying documentation was printed on February 29, 1876 under the title "Texas Frontier Troubles," gathering material from both the Department of State and War Department. Information from the State government of Texas was also procured. In addition to extensive documents, the House Committee also heard testimony from January 24, to March 1, 1876.[49]

The House Committee began its own work, asserting "the statements of facts, the accounts of the murders and robberies, must be considered as correct, and are corroborated by all that came immediately before your committee." The House Committee drew special attention to the work of their predecessors. They explained that they relied heavily on the Robb Commission's final report of 1872. In acknowledging the work of the Robb Commission, they refused any amendment or criticism regarding the interpretation of the earlier investigation. "No action has ever been taken in regard to the report of that commission," the House committee opined four years later. The House Committee, overwhelmed by the extensive documentation and the litany of depredations, chose to exclude inquiry into "incursions and raids of Indians." They focused instead on "the district in which the raiding is done by the Mexicans residing on the south bank of

[49] U.S. House, *Texas Frontier Troubles*, 44th Cong. 1st Sess., Report No. 343, p. i.

the Rio Grande, from its mouth up some distance above Laredo, altogether about 300 to 400 miles."[50]

The work found in "Texas Frontier Troubles" was a turning point in the series of investigations undertaken by officially sanctioned research teams appointed by either state or federal authorities. Once again, the authors of the House Committee report presented their recommendations by first providing a historical overview highlighting the major turning points in the "border warfare" that had occupied previous investigative efforts. Making extensive use of "Difficulties on Southwestern Frontier," the House Committee constructed a narrative of "border warfare" which they began in 1859 with the Cortina War.[51]

The House Committee divided the border warfare into periods. The authors remarked that the US Civil War was a period of "comparative peace on that border." Remarkably, the periodization accepted by the House Committee report reveals that they ignored the research efforts of the 1873 Mexican Committee of Investigation. Their periodization underscored the House Committee, accepting without reservation the interpretive framework of the Robb Commission. Rather than "go over the same ground," they focused their own investigative efforts on the conditions affecting the region since 1872, "only

[50] Ibid., ii.
[51] U.S. House, *Difficulties on Southwestern Frontier*, 36th Cong. 1st Sess., Ex Doc. 52.

referring back occasionally so as to keep the thread of a connected history unbroken."[52]

The House Committee argued that the condition of the frontier deteriorated due in part to the negative influence of one man, Juan Cortina. The assessment of the unfolding conflict and the emphasis they placed on the critical role of Cortina is clearly stated by the House Committee and warrants quoting at length:

> But after the close of the war [the French Intervention], and with the return of the soldiery, commenced the pillaging on the Texas border. Cortina, the old robber chief, had obtained the rank of brigadier-general in the Mexican army, and had risen to power and distinction. From that time forth he was the central figure of the robbing population which established itself on the Mexican side of the Rio Bravo. His power was despotic. The lawless men who, through him, enjoyed the advantages of organization and political power on their own soil, and unlimited license to plunder on the Texan side, supported him with enthusiastic devotion, and in turn gave him the power and position which, in such a country, naturally falls to a leader who can command the unhesitating services of a large body of warlike followers. He became individually far more powerful than any other power –national or state. It was known that he had made and unmade governors at his pleasure.[53]

The Committee's representation of Cortina impugned the communities on the other side of the river that allegedly supported him –a "robber population" and a "large body of warlike followers." It highlights the evil influence of Cortina on a "robber population," pointing to the failures of Mexican authorities to fulfill their obligations by abandoning control to the nefarious influence of local leaders. The

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[52] *Texas Frontier Troubles*, Report No. 343, p. ii.
[53] Ibid., v.

Committee also drew special, if limited, attention to the endemic cattle theft, which, in their estimation, had "hardly been mentioned as the murders and other crimes which have grown out of it overshadow it."[54]

The House Committee's report provides an ethnographic assessment of the Mexican people. Its negative characterization of Mexican officials and their communities in the region enabled the House Committee to dismiss any claims and arguments that ran counter to the narrative and analysis they put forward, an interpretation that remained consistent from 1872 to 1876. Significantly, this document represents the convergence of all three elements of colonial violence defined by Rabasa, including aesthetics, ethics and epistemology, representing metonymically the very process as a whole.

### *"Relations of the US with Mexico"*

On November 1, 1877, still compelled by "the troubles" along the US-Mexico border, Congress adopted a resolution to inquire into "the condition of the Mexican border." Not surprisingly, the investigation, entitled "Relations of the United States with Mexico," undertaken by the Committee on Foreign Affairs, made use of the reports, testimony and evidence collected by the investigations that proceeded it. In addition, it made ample use of investigations that had begun with the reports of the Secretaries of State and War the previous year. The "Relations of the United States with Mexico," like the others before it, provided a

[54] Ibid., vi.

historical overview putting into context the major issues it explored. The report reproduced the same interpretation of previous committees and investigations. It made extensive use of previous historical overviews that relied on identical sources for explaining conflict between Mexico and the United States and its peculiar manifestation on the border.[55]

Probably the most important document to investigate depredations, "Relations of the United States with Mexico" boasted that it would provide all available information on the "condition of the Mexican border." Moreover, the House decided to give the Committee added responsibilities. It adopted a resolution that the Committee on Foreign Affairs "take into consideration the best means of removing the existing and impending causes of difference between Mexico and the United States, and of confirming and enlarging the commercial relations between the two countries."[56]

In addition to a narrative of "border troubles," the Foreign Affairs report concerned itself with US' commercial relations with Mexico. The Committee was animated by the opportunities of potential markets throughout the southern part of the continent. Related to the economic ambitions of the US were extradition, the protection of American citizens abroad and the Zona Libre. The Committee also

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[55] U.S. House, *Report and Accompanying Documents of the Committee of Foreign Affairs on the Relations of the United States with Mexico*, 45th Cong. 2nd Sess., Report 701, p. i.
[56] Ibid.

confronted the pressing issue of the recognition of Porfirio Diaz. The rationale and motivation of the committee was stated plainly:

> The times seem to demand a full and clear understanding of our relations with Mexico; for, on the one hand, the constant border troubles, and the evils consequent on them, imperatively call for measures to prevent their continuance; while, on the other hand, the productions of our manufacturing industries have increased to such an extent that our country has become fully alive to the necessity of foreign markets, and among them that of Mexico, as also of Brazil and the Central and South American Republics, are especially fields into which our commerce should extend, and our relations with those countries have, therefore, become, more than ever, matters of public interest.[57]

The combination of topics, their stated importance and their relation with one another depicts the full range of issues that affected relations between the US and Mexico. The fact that all of these issues were situated in the context of conflict along the border is also significant.

Although the Zona Libre had preoccupied border denizens as well as policy makers in Washington before, the interest of the Committee of Foreign Affairs in Mexican border trade strategies marked a shift in focus. In particular it drew attention to the necessity of opening new markets. The Committee's report made explicit its concern about the US "entering upon a new contest." "We have therefore," the Committee explained, "passed the time when our home market was sufficient for the consumption of the products of our industry. The result is that in the absence of foreign markets our surplus products cannot be sold, and

[57] Ibid., i.

their production has had to be restricted, throwing labor out of employment and causing wide-spread distress in the cities and manufacturing districts." The economic expansion that new markets to the south promised would minimize the labor strife and insure domestic tranquility in urban America. However, in the area of trade, the Committee was forced to acknowledge the number of disadvantages the US faced compared to England, France and Germany. Thus, Mexico and the rest of Latin America became increasingly less an issue as a primary source of violence and depredations, and more significant as a potential new market.[58]

While aware of the "collateral questions" that challenged the US in its relations with Mexico, the Committee of Foreign Affairs emphasized specific perils that American merchants and men of enterprise faced that were peculiar to Mexico. As the Committee systematically reviewed the key issues between the two nations, it reinforced the view that "the chief difficulty in our dealings with Mexico has always been found in the weakness of her government resulting from its uncertain tenure and the constant danger of revolution." The perils that merchants, in particular, and Americans, in general, faced resulted from nothing less than the "cancer of revolutions." "Capital," the Committee warned, "is timid and shrinks from disorder." The Committee insisted "its introduction into Mexico

[58] Ibid., xxiv.

through the channels of commerce and internal improvements would strengthen every conservative element in that country."[59]

Mexico's own productive and commercial capacity was limited by the constant turmoil she endured since her independence and adoption of "a republican form of government" in 1824, and more so since 1854 when the "war of principle" was replaced by "struggles for personal elevation or ambition." Prominent Americans reportedly made use of ethnographic characterizations that emphasized the *cuadillismo*. The political disruptions were easily explained by "the personal ambition of their military chieftans and partisan leaders." The dysfunction of the government, exemplified in the "plundering of foreign merchants," was manifest particularly in the form of forced loans. The Committee of Foreign Affairs concluded "that the ordinary mode of exacting these contributions, by generals or other military officers, is, in any view of the case, illegal, and rests only on force, like robbery or spoliation."[60] Prominent army officers such as Ord and Steele agreed that the Mexican government was incapable of exerting its influence with local and military officials along Mexico's border. Ford, like the others, believed that Mexicans in the border towns along the river possessed a deep hatred for Anglos and would resist any effort to undermine their system of brigandage directed against their neighbors across the river.

[59] Ibid., xl; xxxvi.
[60] Ibid., xxvii-xxviii.

Almost all of those who testified were confident that such a system existed and that General Juan Cortina was the mastermind behind the entire operation. These witnesses began their narrative of border conflict with the raid on Brownsville in 1859, citing Cortina's presence as the inauguration of Anglo-Mexican conflict along the border. Thus, according to the Committee, Mexico's major problem was *caudillismo* and the constant disruptions that resulted from the personal ambitions of its leaders. The Committee believed that the expansion of commercial relations, including the security of property, had overcome the prejudice against US commerce by Mexican elites but that it remained vulnerable to the machinations of ambitious *caudillos*.

Although the Committee of Foreign Affairs lamented the tenuous hold American commerce had in Mexico, they had what they believed to be efficient solutions. One solution they proffered was the great "civilizing agency of railways," a method of development the committee concluded already "familiar to our people." The development of the railroad was not without obstacles. Critical to American expansion, the Committee believed it was vulnerable to *caudillismo*. "We must admit that development in this respect is for the present prevented by that primary cause of all Mexico's misfortunes –revolution, anarchy, and lawlessness."[61]

[61] Ibid., xxxv-xxxvi.

The views of Mexican depravity and their predisposition to plunder were buttressed by casual comparisons to other "degenerate cultures." On several occasions Ord compared the country between the Nueces and the Rio Grande to the open seas frequented by pirates. "It seems to me," Ord opined, "that the circumstances of the plunder of the stock-ranches on the Rio Grande are almost identical with the piracies committed on our commerce at one time by the Algerines [sic], who fled in safety to their own ports with their prizes."[62] Such pejorative views were not limited to prominent military personnel. In a memorial to Governor Coke, the citizens of Corpus Christi extended the comparison when they concluded that

> in the pursuit and capture of robbers who move from point to point with the rapidity of Arabs, over a country with which they are perfectly familiar, the brief experience of the last six months shows that State troops, disciplined and commanded like those of Captain McNally [sic], are best adapted to enforce the wholesome terror among the outlaws and give security to our people.[63]

Attitudes that likened the region to North Africa echoed conclusions offered by the Special Committee on Frontier Troubles of the House of Representatives, which concluded that "the Mexican or south side of the Rio Grande," far more populous than the American side, was comprised of a "robber population." The region itself had become a place where

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[62] *Texas Frontier Troubles*, Report no. 343, p. 97.
[63] Ibid., 177.

> all vagrant and dangerous elements are congregating to that paradise of robbers; a new generation is springing up, knowing no means of livelihood but robbing, aptly compared by our commanding general on that border to the pirate communities which formerly resided on the northern coast of Africa.[64]

The link of *Mexicanos* to the image of Arabs, implying their shared disposition to robbery, applied to all Mexicans. Gustave Schleicher, for example, described Cortina's power and influence along the border as one in "which he ruled with the power of a pasha."[65]

The witnesses summoned before the Military Affairs Committee informed Senators of the daily struggles along the border in the frame of a single narrative.[66] According to these prominent frontier leaders, Anglos were threatened by the violent assaults of Indians and Mexicans on two frontiers. The border country of the lower Rio Grande Valley, specifically, suffered from an intensification of cattle theft, highway robbery, looting of stores and homes, arson, and murder. Cattle theft, most agreed, intensified following the end of the American Civil War. The violence associated with cattle stealing was on the rise because of the limited effectiveness of US military patrols, confirming for many the federal government's failure in fully subsidizing frontier protection.

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[64] Ibid., vii.

[65] "Protection of Texas Frontier," Speech of Hon. Gustave Schleicher in the House of Representatives, June 30, 1876 (Washington, 1876): 6.

[66] See Michael Webster "Texan Manifest Destiny and the Mexican Border Conflict, 1865-1880" for an assessment of the Military Affairs Committee and its bias, including the limitations due to the reliance of a select number of witnesses.

## *Conclusion*

The ensemble of reports and accompanying documents that comprised the fruits of Congressional investigations throughout the period produced a meta-narrative. The very selection of documents in the investigation, including the reports and memos from the field, the orchestration of testimony and depositions from key witnesses, the re-circulation of newspaper articles and editorials, many already recycled, as was the custom, emerged in the context of a symbolic ecology that already exhibited pejorative views regarding Mexico and *Mexicanos.* The distribution of cultural and interpretive assumptions was organized in the aesthetics, epistemology, and ethics of colonial violence. In this case, it was a project of writing violence extended through the selection of documents that sustained a historiography and ethnography made available by the state's investigative efforts.

Merchants, military men, and local officials portrayed *Mexicanos* as simple, docile and prone to the worst vices and, as a consequence, likely to commit violence.[67] The documentary material that included such observations facilitated an interpretation of border conflict that criminalized all *Mexicanos* as depredators at worst or powerless at best and therefore complicit with the most notorious and wicked border "*caudillos*" who threatened Anglo settlements.

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[67] See José Lmón, *Dancing with the Devil: Society and Cultural Poetics in Mexican-American South Texas* (Madison: University of Wisconsin Press, 1994).

The triumphant narrative of Anglo settlement, seemingly undermined by Mexican and Indian depravity, appeared inevitable. This complex investigative apparatus celebrated the claims and interests of a specific group within the context of frontier settlement. The representational machine constructed a meta-narrative of expansion and settlement that glorified Anglos while vilifying everyone else. The assumptions found in the documentation revealed the sense of entitlement associated with manifest destiny, suggesting that Indigenous peoples and *Mexicanos* were unworthy of the land they occupied.

On the ground, many US citizens made legal claims against the government as a result of the losses they claimed at the hands of renegades and villains.[68] Both governments made claims against one another. The US relied heavily on its own investigations. Mexico conducted its own investigation as to the legitimacy of certain claims, but they too depended on their investigative committees. Claims against each government continued through the early part of the twentieth century. The work of each nation provided competing analyses of the causes and solutions to the conflict. Although both nations shared the same motivation for gathering as much information as possible regarding the extent of violence in the border region, the resources the United States to investigate "the

[68] Larry C. Skogen, *Indian Depredation Claims, 1796-1920* (Norman: University of Oklahoma Press, 1996).

troubles" underscored its increasing advantage and Mexico's waning ability to maintain its national influence in the region.

Each investigation built upon and adhered to an accepted narrative of struggle eagerly put forth and claimed by "frontiersman" and policy makers who justified their efforts and contributions to nation building in a peripheral zone. The discursive strategies that nominated heroes and villains while arranging events in a triumphant narrative highlighted those episodes that affirmed the legitimacy of US expansion. This body of interpretive work, although internal to the investigations undertaken by the state, served as a basis for other official documents and, ultimately supported the supposedly learned opinions of state officials while endorsing the popular views regarding frontier violence in general and frontier defense in particular.[69] Subsequent historical interpretations that followed long after these investigations were conducted also came to rely on the documentation and opinions collected through this critical period of state formation. Since the historiography produced through these investigations formed the basis for subsequent histories of the region, contemporary historical interpretation it was necessarily imbricated in the settler colonial project of American expansionism.

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[69] "Defined, therefore, more by absence than presence," explains David Campbell, "America is peculiarly dependent on representational practices for its being. Arguably more than any other state, the imprecise process of imagination is what constitutes American identity." David Campbell, *Writing Security: United States Foreign Policy and the Politics of Identity* (Minneapolis: University of Minnesota Press, 1992, 1998): 91.

# 8. CONCLUSION

> From this follow other criteria of research into folklore: the people themselves are not homogenous cultural collectivity but present numerous and variously combined cultural stratifications which, in their pure form, cannot always be identified within specific historical collectivities.
>
> Antonio Gramsci[1]

The Texas legend and the "three cornered conflict" thesis that dominated historical interpretation regarding Anglo-Mexican conflict has been burdened with ideological entanglements produced as Anglos attempted to remove, pacify, or discipline wayward or intractable Indians and Mexicans, while justifying their exclusive right to expand in what they believed to be an undeveloped territory. They celebrated acts of colonial domination as necessary and legitimate (even heroic), representing indigenous inhabitants as degenerate and less than human; producing legal and cultural codes that justified their domination. The westward trek of Anglos brought with it both a fear of "the other" and an enduring arrogance about him. Ultimately, their ability to designate legitimate and illegitimate acts of violence underscored the ideological as well as physical victories of an expanding settler colonial project. It was the dynamic tension between the material violence or physical attacks and the symbolic violence of managed representations that facilitated Anglos ability to claim the honorifics of frontier defense exclusively for themselves. Throughout the period they and their

[1] David Forgacs and Geoffrey Nowell-Smith, eds., *Antonio Gramsci's Selections from Cultural Writings* (Cambridge: Harvard University Press, 1985): 195.

supporters established a special set of prerogatives as a unique frontier fighting force, claiming special talents for frontier defense against Indian "depredators" and Mexican "bandits." As Anglos constructed national myths, claimed the conceits of a frontier heritage, and arrogated for themselves the exclusive role, and ultimately, the legacy of frontier defense. They erased the vital role of *rancheros* and Indigenous allies on the one hand and criminalized and infantalized them on the other.

One of the most important representative figures in the symbolic ecology of border conflict for Anglos remains the Texas Rangers who emerged as prominent frontier heroes, claiming the legacy of "taming the frontier." As the central protagonists and ideological lynchpins in the saga of frontier defense, rangers have, for the most part, been impervious to in depth criticism. Celebrated as key agents of frontier defense or portrayed as the villains in a system of racial oppression, in each case rangers appear on the Texas frontier as though immaculately conceived. Most Anglo Texans came to trust in the abilities of the rangers and were convinced of the vital role they played in minimizing frontier violence in this period. Yet numerous ranger companies went well beyond their legal and moral mandate to protect frontier communities often exacting harsh reprisals, sometimes bordering on criminal activity, on innocents.

Anglos attributed illegitimate violence exclusively to "Mexican bandits" and "Indian warriors," constructing them as negative figures and foils for frontier institutions such as the Texas Rangers. While the rangers are an indomitable force on the frontier, their foes appear almost entirely as natural phenomenon. The warrior and bandit, represented as a part of the natural landscape was to be managed with the same amount of caution demanded by a difficult and at times forbidding environment. The treatment of the Indian warrior and the Mexican bandit in Texas historiography, has resulted, to borrow a phrase from Ranajit Guha, in excluding "the insurgent as the subject of his own history."[2] In most instances, they exhibit the most negative of traits, caricatures that confirmed the excellent work of the rangers as a frontier fighting force.

Anglos did not carry out the project of frontier defense alone. *Mexicanos* who remained in Texas as well as Indigenous peoples who staked their claims with Anglo and *Mexicano* settlers consistently contributed to the security of frontier settlements. Throughout the process of settlement and subjugation, Anglos were dependent on the assistance of indigenous peoples. There were few military expeditions that did not rely on Indigenous peoples as allies, performing key roles as scouts, guides, and interpreters. *Rancheros* rode in Texas Ranger companies. *Mexicanos* on both sides of the river, wittingly or unwittingly,

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[2] Ranajit Guha, *Elementary Aspects of Peasant Insurgency in Colonial India* (Durham: Duke University Press, 1999): 4.

conspired with Anglos in subjugating Indigenous populations and, in some cases, putting down rebellions and policing criminal activity. Significantly, Anglo prejudices erased the contributions of *rancheros*.

The erasure of *Mexicano* and Indigenous participation in defending and sustaining frontier settlements as part of the equation of frontier defense underscores how it had become a racial project and a crucial vehicle of racial formation. The point here is not to suggest that Native Americans and Mexican Americans contributed equally to the military "taming of the frontier." In that case, we would only be inserting *Mexicanos* and Indigenous peoples into the already established discourse of manifest destiny, insisting that they too be celebrated as frontier heroes.

The *ranchero* exhibited ambivalence in the course of the social antagonism of the period, on occasion an enemy and at others a vital ally. *Mexicanos* confronted rebellious elements as organized militia units who, for example, came to the aid of the citizens of Brownsville during the Cortina War. Prior to and following the arrival of Anglos, *Mexicanos* worked to subdue indigenous populations. They also policed the border of filibusters, revolutionaries and thieves originating from both sides of the river. Indeed, in many cases they played a critical role in facilitating the incorporation of the region into the US economic orbit. *Mexicano* freighters and laborers were vital in

sustaining the local military installations that resulted from the frantic and occasionally exaggerated requests for military intervention by local officials.

The popular image regarding Anglo-Mexican conflict emphasized Mexico's political immaturity. The Mexican government was held responsible for failing to eliminate the vices of its northern citizens and subduing the region's hostile indigenous inhabitants. *Mexicanos* were consistently accused of either facilitating or actively participating in depredations against vulnerable Anglo settlements. By relying on racialized constructions of *Mexicanos* as depraved and too simple to maintain law and order, scholars solidified long held views of the violent nature of the *ranchero*.

Not surprisingly popular views disagreed as to the manner in which *Mexicanos* subsisted on the other side of the border. Those with some limited familiarity with the border believed that *Mexicanos* on the right side of the river simply lived off of theft and piracy. Little wonder that Anglo elites suspected Mexican officials of colluding with border *caudillos* in elaborate and illegal operations to despoil Anglo settlements. They were unable to see *Mexicanos* as anything other than an enemy and therefore capable of possessing social, cultural and political refinements. In fact, many thought *Mexicanos* were in almost every respect like Indians, going about simply clad with only thong sandals. More importantly, they believed that soldiers stationed in the North were impressed and

forcibly relocated to the North where they were likely to desert and join the "floating population" of renegades and desperadoes that helped themselves to the abundant cattle on the American side. Thus, despite their dependence on *Mexicano* neighbors to sustain fragile frontier communities, Anglo settlers interpreted Mexican political instability as confirmation of *Mexicanos* as lazy, degenerate, and easily lead by notorious *caudillos* for ill-gotten gains.

Conflicts played out differently in the diverse regions of Texas, each region having a unique connection to both Mexico and the advancing economic and political forces of the U.S. General Ord distinguished between the people and conflicts of West Texas and Chihuahua from the criminality that plagued the lower Rio Grande. Despite his own regional bias, the open rebellion in San Elizario challenged his as well as other's narrow regional prejudices. Conflicts throughout this period then emerged in the context of particular localities each with their own history of commercial and political connection to Mexico and the U.S.

The project of frontier defense was not exclusive to the US or Texas but also occupied the Mexican government and local officials in the tier of northern states along the newly established international boundary. Mexico had inherited the policies and strategies of Spain and while able to claim some early successes following independence, the struggling Republic was devastated by Indigenous

resistance. The period immediately following the US-Mexico War inaugurated a succession of difficulties for maintaining security from "depredations" for both governments. In a more elemental sense, *Mexicanos* simply fled across the newly established border following the war, easily taking up residence in Mexican territory. A few chose to exploit the boundary while still others simply ignored it, maintaining commerce with friends, family, and associates on both sides of the river. The constant traffic between the two nations posed a number of problems for magistrates, the military, and merchants yet border cities prospered. Each nation faced challenges from Indigenous peoples who crossed back and forth taking advantage of lucrative markets and the lack of international cooperation. In some cases, raiding bands cooperated with one government while taking advantage of the other. Once the US relocated a nation or band onto a reservation in the US, raiding parties were easily lured to take advantage of vulnerable *Mexicano* communities.

The alchemy of violence in the US-Mexico borderlands included conflict and tensions on a local, regional and national level. Diplomatic disputes regarding invasions and policing the boundary more than once threatened to escalate to full-scale war. Each nation represented the source of the violence as emanating from the indifference or, in some cases, the machinations of the opposing government and its citizens. Incursions originating from within one country spilled over the

recently established boundary prompting the crossing of armed forces across the border by both nations. Inextricably linked to issues regarding the integrity of the newly formed border was US opposition to trade barriers and unfair competition established through the Zona Libre. Throughout the period, each nation nervously anticipated an invasion from the other, making war, the threat of war, and the representations of conflict a fundamental part of the symbolic ecology of the Greater Borderlands. Ultimately, the meanings generated through war conformed to popularly held views of frontier defense.

In each case, sectors in these communities responded differently to lengthy processes of enclosure that slowly dismantled community commons.[3] Following the US-Mexico War, they did not simply accommodate themselves to Anglo political manipulation, social exclusion and economic dislocation. Nor did they consistently resist Anglo presence and the expansion of capitalism into the region.

Most Anglos believed the violence in and around South Texas from the brief Cortina War to the Skinning war was masterminded entirely by Cortina. As

[3] An essential component to understanding the process of enclosure and its consequences is the concept of the commons. "In their commons," Gustavo Esteva and Madhu Prakash claim, "'the people' are attached to each other by duties and obligations, not by abstract notions of rights. They are bound together by the common 'sense' that is part of belonging; of participating in shaping or sharing common ways of living and dying." The reproduction of the commons is based on the connection to land as well as cultural practices. The destruction of the commons on a symbolic level requires the establishment of the boundaries produced through identities. The destruction of the commons therefore includes both the dismantling of access to the means of its reproduction, both on a material as well as a symbolic level. Gustavo Esteva and Madhu Suri Prakash, *Grassroots Post-Modernism: Remaking the Soil of Cultures* (London: Zed Books, 1998): 159.

a representative and pivotal figure for Anglo elites, Cortina dominated the bureaucratic communications of Anglo officials. The attention paid to Cortina by official sources as a "border *cuadillo*" obscures a more complex narrative of political intrigue, economic competition, and racial strife that convulsed the region. Other struggles led by Benito Juárez, Sebastián Lerdo de Tejada, and finally Porfirio Diaz, as well as the resistances orchestrated by lesser-known figures against them, have been overshadowed by an obsession with Cortina.

Yet, Cortina's career coincides with many of the most significant turning points in the conflict between *Mexicanos* and Anglos during the second half of the nineteenth century. Cortina's personal history in the lower Rio Grande Valley intersects with the intrigues of Anglo merchants and their legal accomplices, in displacing *Mexicanos* from their land and political office. Cortina's tenure on the border also frames many of the severest diplomatic tensions between the two nations. Cortina was, without a doubt, a major element in the equation of the social war, prompting an increased military presence along the US-Mexico border.

The "El Paso troubles" narrate armed *Mexicano* resistance to the brazen efforts of Anglo elites to realize material and social enclosure. A well-organized community effort that captured a Texas Ranger battalion in response, it was an insurgency that unfolded in the context of personal feuds between local elites,

growing resentments against the dismantling of commons and decisive opposition to the imposition of elite rule. The failure of a small coterie of Anglos to privatize the salt lakes transformed the region into a "site of contradiction," revealing the momentary collapse of an incipient hegemonic process due to the excesses of brutal processes of enclosure, both social and material.[4] Just as in the long Cortina War, the legal proceedings that followed the insurgency exposed the porousness of the international boundary, the participation of *Mexicanos* on both sides of the conflict, and the limits of Anglo power. Moreover, the shift of the county seat away from San Elizario and the subsequent placement of the railroad depot at Franklin assured the marginalization of the once dominant *rancheros* in the valley communities of Ysleta, San Elizario and Socorro.

Once *Mexicano* insurgents released their captives they were repaid for their measured sense of justice with brutal reprisals visited on the entire valley. Scholarship on the rangers has, for the most part, opted to view the defeat of the ranger company that winter as an aberration. Most emphasize the complications resulting from the limited pool of worthy men from which Jones could organize a typical ranger company. "It is quite certain," Webb explains, "that Jones, McNelly, Lee Hall, John Armstrong, and many other officers whose names figure in the service, could have come out of the El Paso riot unscathed and with

[4] Lisa Lowe and David Lloyd, *The Politics of Culture in the Shadow of Capital* (Durham: Duke University Press, 1997): 1.

honor."[5] Once again, we are reminded of Paredes' admonition that the Rangers "were part of the legend themselves," figures prominently in the maneuvers to efface the unsavory details of ranger history on the frontier.[6]

The combined impact of strategies of physical containment and negative representations, the prose of counterinsurgency, sought to diminish the insurgencies as émeutes, jacqueries, riots, or mob actions. Close attention to the "micro history" of these insurgencies, including the events that led up to the street battles, the skirmishes, and their brutal aftermath reveal "conscious leadership" in each mobilization. More importantly, as insurgencies these events became sites where two antagonistic consciousnesses "met for a decisive trial of strength."[7] The negative portraits of notorious border personages such as Juan Cortina and Francisco Barela as the exclusive leaders of "criminal activity" conforms to the foundational myths of the degenerate border *caudillo*, confirming his unchecked ambitions as a rogue and petty despot. Ultimately, too much emphasis on notable individuals privileges "spontaneity" and overshadows the participation of dfferent facets of the entire community.

While skirmishes, raids, and filibusters, or the material violence commonly associated with the region, enabled Anglos to appropriate land,

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[5] Walter P. Webb, *The Texas Rangers: A Century of Frontier Defense* (Austin: University of Texas Press, 1989): 367.
[6] Americo Paredes, *With His Pistol in His Hand* (Austin: University of Texas Press, 1988): 23.
[7] Ranajit Guha, Elementary Aspects of Peasant Insurgency in Colonial India (Durham: Duke University Press, 1999): 11.

dominate the political process, and discipline a neighbor, it was the representation of violence, or symbolic violence, facilitated chiefly by the series of investigations following each dramatic episode, that allowed Anglos to claim the heroic exploits of frontier settlement and defense as their exclusive legacy.

The series of investigations and inquiries conducted by both the US and Mexican governments at the local and federal level collected the myriad newspaper accounts, line officer's reports, local officials' pleas and testimonies of leading citizens. Military officials, local leaders and even officially sanctioned investigators conducted numerous fact-finding missions closely examining the causes, nature, disposition and repercussions of border violence. These investigative projects compiled the testimony of thousands of witnesses in depositions taken before local officials, grand juries and investigating boards; the proclamations and pleadings of public officials; and "informed" claims by concerned citizens and public servants circulated in memorials and newspapers accounts.

The combination of these investigations, including the extensive effort carried out in the El Paso region, established a "representational machine." The narrative produced by the representational machine built on the earlier foundation provided by previous committees, adding to the ideological sediment that narrated *Mexicanos* and Indigenous people as only criminal and degenerate aspects of the

frontier environment. In each document produced by an investigation, as well as in the combination of texts taken together, a historiography and ethnography of frontier settlement and defense emerged. Interestingly enough, these historiographies and ethnographies of border conflict arrived at a moment when the disciplines of history and anthropology were just evolving. This body of interpretive work, internal to the investigations undertaken by the state, served as a basis for other official documents, establishing an apparatus that supported the learned opinions of state officials and endorsed the popular views of frontier violence and frontier defense.[8]

Thus the prose of counterinsurgency, produced through state efforts to contain and document "Mexican border troubles," conflated *Mexicanos* and Indigenous peoples into a static and homogenous group and affirmed dominant prejudices. Once viewed as criminals, *Mexicanos* were largely invisible as agents of frontier defense and victims of frontier violence. Although official documents record their victimization, they merited little attention. *Mexicanos* and Indigenous peoples not only actively engaged in frontier defense, but they also possessed their own visions and investments in settlement and security. In the matrix of

[8] "Defined, therefore, more by absence than presence," explains David Campbell, "America is peculiarly dependent on representational practices for its being. Arguably more than any other state, the imprecise process of imagination is what constitutes American identity." David Campbell, *Writing Security: United States Foreign Policy and the Politics of Identity* (Minneapolis: University of Minnesota Press, 1992, 1998): 91.

border conflict Indigenous peoples, *Mexicanos*, Anglos and, later, Buffalo Soldiers all took part in a complex negotiation over frontier defense.

The specific acts of Anglo violence against *Mexicanos* after insurgencies such as the salt war have been subsumed into the broad category of "outrages." One notable example of Anglo violent excess was the rape of Salomé Telles. Although glaringly apparent in the documentation produced after the "El Paso Troubles," the rape has been glossed over in the narrative. An example of the "lived experience" of violence for *Mexicanos*, it exposes a critical element of the logic and practice of social war –the systematic subjugation of a population through terror. While the resistance of the *Mexicano* community was erased as a result of the criminalization directed against them, women's roles from within the community were doubly erased. In the narrative of Anglo-Mexican social antagonism, the focus on domination and resistance emphasize male claims to honor and the construction of men's identities as protectors of the community against class and race enemies in a turbulent frontier. This obscured the risks and hardships women endured as victims and survivors of border war.

The brushfire wars, for example, fit into the national imaginary as war, revealing how societies organize themselves for and by processes of destruction. An examination of the social war of the Greater Borderlands that distinguishes between different operations of violence and recognizes the diversity of those

agents of frontier defense reveals more clearly how societies organized for persistent warfare clash on the periphery of an expanding market economy.

This study joins recent challenges of American exceptionalism by interrogating the ideological impact of the discourse of frontier defense. Anglo violence against Indigenous peoples and *Mexicanos* produced in the course of westward expansion has been represented under broader categories of defense, settlement and progress. These designations easily rendered *Mexicanos* and Indigenous peoples invisible or when present in the discourse they appear as criminal. The violent episodes of the social war punctuate the transformation of the US-Mexico Borderlands, revealing much about the struggle for national meaning and identity. The very definition of these wars and the ideological uses they have been put to underscore how Indigenous peoples and *Mexicanos* have been excluded from national narratives.

It also suggests social antagonism cannot be fully explained as either alienation or accommodation. Previous work on *Mexicano*-Anglo conflict has understood it as either accommodation or alienation. Earlier studies that emphasized resistance insist on a dichotomy of opposing forces. An "ethnography of resistance" uncovers the complex web of power relations that informed an array of interactions by diverse agents, some collaborating, others resisting, while still others avoiding conflict all together. Nor did resistance always unfold

following a specific script. The social war of the borderlands was composed of multiple histories of violence: personal and collective; material, symbolic and structural; legal and illegal; "wars," depredations, police actions, and filibusters.

The various episodes of violence recounted here operate as "chemical catalysts" that refract power relations on the US-Mexico Border.[9] Stressing the link between historiography and relations of power, Gerald Sider and Gavin Smith insist that to distinguish between history and histories view power "as engendering chaos and havoc –conceptual, cultural, and social-relational- as much as it does order." "It is only when we leave the terrain of 'history' and read this small story through the eyes of its 'inhabitants,'" they explain, "that we begin to understand that power creates both order and chaos simultaneously, and that people must struggle against both."[10]

An approach that refuses a manichaen framework of domination and resistance, alienation and accommodation, complicates previous interpretations of identity formation, seeking to move beyond essential representations of the Mexican, the Indian and the Anglo. Processes of identity formation linked with equally complex processes of capitalist and state formation produced an array of identities, including market, political and cultural, operating at any given

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[9] Lila Abu-Lughod, "The Romance of Resistance" pp. 41-55.
[10] Gerald Sider and Gavin Smith, eds., *Between History and Histories: The Making of Silences and Commemorations* (Toronto: University of Toronto Press, 1997): 10-11.

moment.[11] The violent episodes examined in this study exposes the constant negotiation of *Mexicanos* strategic claims to political and cultural citizenship that took place in social, political and economic contexts they had previously dominated. An examination of frontier defense that makes explicit the discursive processes associated with material conflict exposes the mixed strategies of differentiated communities.

While this study focuses on the variety of violent episodes immediately following the US-Mexican War until the beginning of the Porfiriato, it has also argued that the conflict between Anglos and *Mexicanos* is permanent. Taking a cue from Michel-Rolph Trouillot, the application of a heuristic device that divides the history of border conflict into four historical contexts and associated tropes better represents the social war of the Greater Borderlands.[12] Not necessarily corresponding to rigid time periods but constructed for analytical purposes only, each historical contexts suggests different degrees of intensity of struggle. Four historical contexts, including the contested border, 1848-1877; the revolutionary border, 1878-1924; the policed border, 1925-1965; and the militarized border, 1966 to the present, expands the argument beyond the period following the war.

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[11] See, ….

[12] Michel-Rolph Trouillot, "Culture on the Edges: Carribean Creolization in Historical Context" in Brian Keith Axel, *From the Margins: Historical Anthropology and Its Futures* (Durham: Duke University Press, 2002): 189-190.

This study has focused on the first historical context, from 1848 to the beginning of the Porfiriato, or the contested border, an era dominated by the representative figures of the ranger, "bandit," and "Indian savage." The second historical context coincides roughly with the period leading up to and during the Mexican Revolution, a historical moment in which waves of opposition to the Diaz regime convulsed the border. The Porfiriato was plagued by short-lived rebellions such as the one lead by Catarino Garza during the Tin Horn War (1892), prefiguring the political turmoil of the Mexican Revolution.[13] Even in the course of the political turmoil created by the Mexican Revolution, which arguably was against US economic and political dominance as much as it was against the authoritarian and racist regime of Diaz and his *cientificos*, *Mexicanos* living on the US side of the border continued to be targets of Anglo racial violence. Two notable examples of racially motivated attacks against *Mexicanos* were the violent arrest of Jesús María Rangel and thirteen other Magonistas while en route to Mexico and the brutal repression that followed the discovery of the Plan de San Diego, a blueprint for a prolonged anti-colonial struggle of people of color against Anglo rule in the region.[14] The establishment of the US Border Patrol in 1924 to the beginning of the Border Industrial Program (BIP) in 1965, or the policed

[13] For work on Garza see Elliot Young, "Twilight on the Texas-Mexico Border: Catarino Garza and Identity at the Cross-roads, 1880-1915" (Ph. D. diss., University of Texas at Austin, 1997).
[14] For work on the Plan de San Diego, see James A. Sandos, *Rebellion in the Borderlands: Anarchism and the Plan of San Diego, 1904-1923* (Norman: University of Oklahoma Press, 1992). Sandos also briefly touches upon the case of Rangel-Cline in 1913.

border, with the key figure of the border patrol agent and the "wetback," also witnessed institutionally organized violence notably during the round-ups of Operation Wetback.[15] The fourth and current context, from the establishment of the BIP to the present day, marks the series of turning points that have further militarized the border. The dominant figure of the militarized border has become the illegal alien, made the target of increasingly sophisticated repression resulting from the intersection of the "war on drugs" and the "war on immigrants."[16]

The narrative of the social war of the Greater Borderlands is notable for its silences.[17] "Any historical narrative," Michel-Rolph Trouillot reminds us, "is a particular bundle of silences." For Trouillot silences are produced or "enter the process of historical production" at any one of four stages or "moments." The

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16 The persecution of LIC in the US-Mexico Borderlands has had two interdependent components: the War on Drugs and the War on Immigrants. The War on Drugs has its origins during the Reagan-Bush years. The National Narcotics Border Interdiction System (NNBIS), established under the direction of Vice President George Bush in 1983, coordinated efforts between the Department of Defense and civilian law enforcement agencies. President Reagan's signing of a secret directive formally establishing drug trafficking as a threat to national security in 1986 significantly advanced the War on Drugs. That same year the establishment of Operation Alliance further advanced the goals of the NNBIS by coordinating interagency efforts to prevent the flow of drugs, weapons, immigrants, and currency across the border. In late 1989 JTF-6 sought to achieve "total integration" between the Department of Defense and other federal, state, and local law enforcement agencies. Later in 1993, Silvestre Reyes, Texas by Border Patrol Chief for the El Paso Sector, introduced Operation Blockade/Hold the Line, an effort designed to better coordinate border patrol resources to consistently demonstrate sufficient force. In 1994 the Pentagon's Center for the Study of Low Intensity Conflict assisted in the design of "Strategic Plan: 1994 and Beyond" for the Border Patrol. Subsequent efforts following the Hold the Line model included: Operation Gatekeeper, 1994 (San Diego), Operation Safeguard, 1995 (Arizona), and Operation Rio Grande, 1997 (Brownsville). In 1997 and 1998, criminalization of immigrants began to reach into the interior with Operation Clean Sheets, 1997, Operation Last Call, September 1998 (Texas), and Operation Prime Beef, September 1998 (Nebraska). See, the following….

17 Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995): 26-7.

most critical silence has been that of the *Mexicano*. The chorus of conflict included *Mexicanos* playing different parts. Some jointed the fray by collaborating with ambitious Anglos. Others were part of the strident voices in opposition to Anglo domination. Still other less dominant parts were played by spectators who refused to participate in any meaningful way other than to closely watch the battle unfold. Other strategies of protest also added to the chorale. Against the din of Anglo recriminations of Mexican criminality and imbecility as well as the national uproar celebrating the Texas Rangers has been the drum beat of insurgencies, short-lived *poblador* victories against Anglo domination. Both the Cortina War and the San Elizario Salt War are prominent *Mexicano* successes against a paramilitary frontier force and major agent of racial and class domination. Finally, the ignominious defeat and capture of the Texas Ranger company during the Salt War, widely considered not to be the stuff of ranger legend, severely undermined the image of "Lonestar justice."[18]

[18] See Robert Utley, *Lone Star Justice: The First Century of the Texas Rangers* (Oxford: Oxford University Press, 2002).

# Appendix A

## Carvajal Proclamation[1]

Carvajal, on the 25th October, addressed a proclamation to the people of Matamoros, of which the following is a hasty translation:

***Fellow citizens***—The "plan" of the 16th of September last which I and my companions have sworn to defend, was made for your benefit, and you have a co-operative part in the principles which formed it. Thus it is, that in order to secure its object, and after having overcome a thousand obstacles, full of joy, I come to unite with you in order to expel the tyrant from your midst. A proof of this is the fact of the meeting with me, at the rancho of Las Rusias, of a committee of your representatives headed by the political chief of this department. From him I learned with profound grief that you were fascinated by that same military power which is plunging you into the most frightful abyss.

You were deceived by tyranny, which, united with the low pretences and vile interests of two or three smugglers, overcame your reason by telling you that foreigners were my followers, that my object is to secure the independence of the frontier states and afterwards annex them to the Untied States of the North. Atrocious calumny! Am I not a Mexican like yourselves? Have I not proved a thousand times, in periods of danger, that I was faithful to my country, which I never have betrayed, and never will betray? Have you not seen that is secured by one article of my plan, and that the foreign auxiliaries who accompany me are united with the squadrons of Reynosa, Mier and Guerrero, your brothers, relations and friends, in a contract which binds them to sustain the same cause.

I do not know, gentlemen, why you give more credit to the infamous falsehoods of the very tyranny which oppressers [sic] you than to the faithful promises and vows of your brother and friend, and even than to our own convictions.

Tyranny has fascinated you. I repeat. Tyranny profited by your candor, so as to cause you to annihilate yourselves, and to take part in its frauds and crimes. For this I have found myself received in a hostile manner, and for this it happens that they sacrifice you like automatons, while the real enemy lies hidden behind his parapets.

See, my friends, the first act of the troops on going out to the contest. See how far the black designs of despotism have been carried. Last night! yes! That night which you will never forget, they set fire to your houses, and not content

[1] St. Louis, *The Daily Picayune*, (Tuesday, November 4, 1851).

with this atrocious act, they received pleasure in seeing you blood flow by the light of the flames which they had kindled. And what will you say, fellow citizens? I have desired your support, because thus I would be secured; because you are my brothers, because the cause is holy, and because I long for your preservation.

My friends! some moments remain to you in which you may reflect, and rid yourselves of the false impressions which have been created in your minds by some vile hypocrites and calumniators, who pretend to be your friends. Reflect, for God's sake reflect on the evils which await you if you persist in your error. What! Do you not clearly see the deceit? Decide against whom you will direct your fire, against the true liberals—against your relatives and friends, against the liberators who wish to rescue you from the oppression beneath which you groan? What infatuation!

Open your eyes. Will you continue shedding your blood for the benefit of interested agents? I cannot think it. Abandon the ranks of tyranny; leave them, with all that belongs to you, and do not continue blind instruments of the blackest pretensions. Observe that I, firm in the principles which I have sworn to defend, will give up everything before yielding to any vain consideration.

JOSE MARIA CARVAJAL

# Appendix B

## Cortina Proclamation.[2]

Juan Nepomuceno Cortinas to the inhabitants of the State of Texas, and especially to those of the city of Brownsville.

An event of grave importance, in which it has fallen to my lot to figure as the principal actor since the morning of the 28th instant, doubtless keeps you in suspense with regard to the progress of its consequences. There is no need to fear. Orderly people and honest citizens are inviolable to us in their persons and interests. Our object, as you have seen, has been to chastise the villainy of our enemies, which heretofore has gone unpunished. These have connived with each other, and form, so to speak, a perfidious inquisitorial lodge to persecute and rob us, without any cause, and for no other crime on our part than that of being of Mexican origin, considering us, doubtless, destitute of those gifts which they themselves do not possess.

To defend ourselves, and making use of the sacred right of self-preservation, we have assembled in a popular meeting with a view of discussing a means by which to put an end to our misfortunes.

Our identity of origin, our relationship, and the community of our sufferings, has been, as it appears, the cause of our embracing, directly, the proposed object which led us to enter your beautiful city, clothed with the imposing aspect of our exasperation.

The assembly organized, and headed by your humble servant, (thanks to the confidence which he inspired as one of the most aggrieved,) we have careered over the streets of the city in search of our adversaries, inasmuch as justice, being administered by their own hands, the supremacy of the law has failed to accomplish its object.

Some of them, rashly remiss in complying with our demand, have perished for having sought to carry their animosity beyond the limits allowed by their precarious position. Three of them have died –all criminal, wicked men, notorious among the people for their misdeeds. The others, still more unworthy and wretched, dragged themselves through the mire to escape our anger, and now, perhaps, with their usual bravado, pretend to be the cause of an infinity of evils, which might have been avoided but for their cowardice.

They concealed themselves, and we were loth to attack them within the dwellings of others, fearing that their cause might be confounded with that of

[2] U.S. House, *Difficulties on Southwestern Frontier*, 36th Cong. 1st Sess., Ex. Doc. 52, pp. 70-72.

respectable persons, as at last, to our sorrow, did happen. On the other hand, it behooves us to maintain that it was unjust to give the affair such a terrible aspect, and to represent it as of a character foreboding evil; some having carried their blindness so far as to implore the aid of Mexico, alleging as a reason that their persons and property were exposed to vandalism. Were any outrages committed by us during the time we had possession of the city, when we had it in our power to become the arbiters of its fate? Will our enemies be so blind, base, or unthinking, as to deny the evidence of facts? Will there be one to say that he was molested, or that his house was robbed or burned down.

The unfortunate Viviano Garcia fell victim to his generous behavior; and with such a lamentable occurrence before us on our very outset, we abstained from our purpose, horrified at the thought of having to shed innocent blood without even the assurance that the vile men whom we sought would put aside their cowardice to accept our defiance.

These, as we have said, form, with a multitude of lawyers, a secret conclave, with all its ramifications, for the sole purpose of despoiling the Mexicans of their lands and usurp them afterwards. This is clearly proven by the conduct of one Adolph Glavecke, who, invested with the character of deputy sheriff, and in collusion with the said lawyers, has spread terror among the unwary, making them believe that he will hang the Mexicans and burn their ranches, &c., that by this means he might compel them to abandon the country, and thus accomplish their object. This is not a supposition –it is a reality; and notwithstanding the want of better proof, if this threat were not publicly known, all would feel persuaded that of this, and even more, are capable such criminal men as the one last mentioned, the marshal, the jailer, Morris, Neal, &c.

The first of these, in his history and behavior, has ever been infamous and traitorous. *He is the assassin* of the ill-starred Colonel Cross, Captain Woolsey, and Antonia Mireles, murdered by him at the rancho de las Prietas, the theatre of all his assassinations. It is he who instigated some, and aiding others, has been the author of a thousand misdeeds; and to put down the finger of scorn that ever points at him, and do away with the witnesses of his crimes, he has been foremost in persecuting us to death. The others are more or less stamped with ignominy, and we will tolerate them no longer in our midst, because they are obnoxious to tranquility and to our own welfare.

All truce between them and us is at an end, from the fact alone of our holding upon this soil our interests and property. And how can it be otherwise, when the ills that weigh upon the unfortunate republic of Mexico have obliged us for many heart-touching causes to abandon it and our possessions in it, or else become the victims of our principles or of the indigence to which its intestine disturbances had reduced us since the treaty of Guadalupe? when, ever diligent and industrious, and desirous of enjoying the longed-for boon of liberty within the classic country of its origin, we were induced to naturalize ourselves in it and

form a part of the confederacy, flattered by the bright and peaceful prospect of living therein and inculcating in the bosoms of our children a feeling of gratitude towards a country beneath whose aegis we would have wrought their felicity and contributed with our conduct to give evidence to the whole world that all the aspirations of the Mexicans are confined to one only, *that of being freemen*; and that having secured this ourselves, those of the old country, notwithstanding their misfortunes, might have nothing to regret save the loss of a section of territory, but with the sweet satisfaction that their old fellow citizens lived therein, enjoying tranquility, as if Providence had so ordained to set them an example of the advantages to be derived from public peace and quietude; when, in fine, all has been but the baseless fabric of dream, and our hopes having been defrauded in the most cruel manner in which disappointment can strike, there can be found no other solution to our problem than to make one effort, and at one blow destroy the obstacles to our prosperity.

It is necessary. The hour has arrived. Our oppressors number but six or eight. Hospitality and other noble sentiments shield them at present from our wrath, and such, as you have seen, are inviolable to us.

Innocent persons shall not suffer –no. But, if necessary, we will lead a wandering life, awaiting our opportunity to purge society of men so base that they degrade it with their opprobrium. Our families have returned as strangers to their old country to beg for an asylum. Our lands, if they are to be sacrificed to the avaricious covetousness of our enemies, will be rather so on account of our own vicissitudes. As to land, Nature will always grant us sufficient to support our frames, and we accept the consequences that may arise. Further, *our personal enemies shall not possess our lands until they have fattened it with their own gore.*

We cherish the hope, however, that the government, for the sake of its own dignity, and in obsequiousness to justice, will accede to our demand, by prosecuting those men and bringing them to trial, or leave them to become subject to the consequences of our immutable resolve.

It remains for me to say that, separated as we are, by accident alone, from the other citizens of the city, and not having renounced our rights as North American citizens, we disapprove and energetically protest against the act of having caused a force of the national guards from Mexico to cross unto this side to ingraft themselves in a question so foreign to their country that there is no excusing such weakness on the part of those who implored their aid.

JUAN NEPOMUCENO CORTINAS
RANCHO DEL CARMEN,
*County of Cameron,*
*September 30, 1859.*

# Appendix C

## Memorial by the People of El Paso County[3]

Believing, as we do, in the justice and right of free people being heard by petition or memorial; at the request of many persons we publish the following which fully explains itself.

**A MEMORIAL**
**Addressed to the Governor of Texas on the Question of the Salt Lakes by the People of El Paso County.**

*To His Excellency Hon. R. B. Hubbard, Governor of the State of Texas:*

The undersigned citizens of the towns of Isleta, Socorro and San Elezario in the county of El Paso, Texas would most respectfully represent that one Charles H. Howard appeared in this county and stated verbally (and without any further evidence on the subject) that he was the proprietor of the salt mines situated in said county known for many years as "the Guadalupe Salt Lakes" and by notices posted in public places he informed the people that he prohibited them from taking salt from said lakes without his consent under the severe penalty of the law.

The people generally could not believe that such authority was vested in Howard because he did not present any authentic evidence sustaining such claim and had they seen any document purporting to establish such a title they would have doubted their genuineness, confiding in the rectitude and sense of justice of the worthy chief magistrate who has in his keeping the welfare of the State of Texas.

Such a grant without any notification or the knowledge of the inhabitants of this county would be equivalent to the unlawful spoliation of the possession of the "Guadalupe Salt Lakes" which these people have enjoyed from time immemorial and since the establishment of said towns under the Spanish government and by the use and benefit of which almost solely, we may say, they have gained their subsistence; and without which common right they would have been compelled to abandon the homes and fields of their ancestors, or die with hunger together with their families.

Again; Such a spoliation of these pacific and industrious people, and the transfer of this title to a single individual would prove that the supreme authority of the State disregards entirely the first principle of universal justice, and sanctioned by all civilized countries, viz: that the welfare of the many must be

[3] *The Mesilla News*, February 16, 1878.

preferred to the benefit of the few; and in the present instance it would prove that one solitary individual should be the favored one to the detriment of thousands of others born and raised on the soil; it would authorize a monopoly, which is prohibited by our laws, and not founded in the slightest shadow of justice, and still less in the public interest and convenience.

As such hypothesis is inconsistent with our ideas of the personal rectitude and integrity of the Governor of this State; we decline to believe the assertion of Mr. Howard that he is the favored one.

Now as this affair dates some months back and has caused much alarm in this community; it having produced an armed conflict, and caused the horrible murder of Louis Cardis, a respected and good citizen, and our worthy representative in the State Legislature; and as Attorney Howard by his wiles has succeeded in producing division and discord among some of our friends and neighbors; we consider it indispensable for the purpose of terminating the difficulty (which is causing great evil) and to know positively how this (to us) very important business stands; to appeal to the supreme government, begging it to inform us, the undersigned citizens who with our families represent about two thousand inhabitants of this County and State; what it has decreed regarding the Guadalupe salt lakes whether they have been granted to a private individual; or whatever else may have been done, so that knowing the disposition thereof by the authorities; if it be adverse to us, we may have recourse to the legitimate appeal permitted us by the general laws of the United States and of our own State; to ask the revocation of said title by law, inasmuch as we are peaceable citizens obedient to the authorities and the laws emanating from them; and if this cannot be done we ask that some means may be devised to regulate the matter so as to acknowledge the demands of the State and at the same time recognize the indisputable necessity of this county to have the salt lakes continued as a common benefit to the settlements as indeed they have been since their foundation.

If on the other hand our petition as above set forth should not be granted for some reason not understood by us; then Your Excellency, the imperious law of self defense, will force us to the painful necessity of abandoning the homes where we, and our fathers were born; to leave the dwellings erected by our labor and expense, to lose all our real estate, and to seek an asylum in foreign land, where we may exist with out degenerating into slaves.

We are firmly persuaded that if Howard has obtained this grant, as he asserts that he must have accomplished that end by illegal means, such as are commonly employed by those who seek unjust measures, that i ; [sic] by alleging falsehood and suppressing truth truth- which if exposed would thwart the execution of their insidious designs. Howard doubtless did not inform the government that the Guadalupe salt lakes have always belonged to the people of these towns and that their products are essential to the maintenance and support of the entire community; and should they become the property of a single individual

they would be a mine of wealth worked by slaves subject to one master; and that this population of free men would rapidly disappear- free men as they are and should be as citizens of the great nation to which they belong.

This grant if secured at all must have been obtained through fraud, and the principle that no right can accrue through fraud has been established ever since there existed on earth any idea of justice and morality.

All legislation in civilized countries has recognized *prescription* as a means of acquiring and protecting the rights of property, and no prescription is more complete and conclusive than the rights of property based upon possession from time immemorial, or for more than one hundred years continuously and with the consent of the sovereign of the country, and exercised by thousands of persons. This is the relation which the people of El Paso county [sic] bear to the Guadalupe salt lakes. This right was guaranteed by article 9 of the treaty of Guadalupe Hidalgo, February 2nd, 1848, and was confirmed by article 5th [sic] of the treaty of December 30, 1853.

Finally; Your Excellency, the free use in common of the Guadalupe salt lakes is as essential and necessary to the inhabitants of this county as much so as is the common and free use of the waters of rivers and springs, of air and light, or the warmth of the sun. These rights are necessary for their existence and a monopoly of such things is in contravention of natural law.

We have already shown to the best of our understanding that the granting of these lakes to a single person (no matter how meritorious he may be) would result in great prejudice to the interest of these towns, would threaten their very existence, and would be a crime against the well set led [sic] principle, that the public authority in the exercise of its functions should prefer to benefit the many rather than the few. It is moreover a manifest infraction of our fundamental law which prohibits monopolies.

It remains yet to set forth the character of the individual who is the object of such extraordinary and unprecedented preference, for then the disastrous consequences which would inevitably result from such a concession, (if true) will more fully appear.

Attorney Howard has shown himself by his acts in this county to be possessed of the following characteristics. He is an insolent and quarrelsome person even toward public functionaries; having insulted the District Court while in session in such a public and offensive manner that it had to suspend its session and adjourn. He is a man of fierce passions even to the desperate extremity of provoking assassination, for on the 10th of October last at El Paso, he murdered our distinguished and honored citizen Louis Cardis; whereby he has created the greatest confusion, and disturbed the peace and tranquility of this community to such an extent that if our worthy Governor does not interpose his opportune and wise decrees, he (Howard) will realize his ignoble desire that a conflict of arms

should take place in this county, which would cause the blood of our citizens to be shed.

All these facts are as well known to the people here as is the fact that in the assassination of Cardis others are culpable from different motives one of whom is connected with the public authority. If necessary we are ready to prove before impartial authority what we have here affirmed.

In view of what of what we have above stated to the government of our State in regard to the individual who calls himself the grantee of the Guadalupe salt lakes. Can it be possible that in the hands of such a man is placed the fate of the people of this county? Shall the inhuman and quarrelsome Howard become the feudal Lord of these people, naturally free and independent for they know how to earn the necessaries of life by their labor, and they have been educated under our free and liberal institutions? He who becomes master of the salt lakes will also pretend to be master of the people, for it being optional with him to give them employment or to deprive them of it, he will virtually hold in his hand their living, while he holds said right, for they will be compelled to subject themselves to whatever degrading conditions he might see fit to impose, which must be expected from a man with the heart of a hyena.

On the other hand becoming exasperated they will be compelled to drive out the oppressor, thus becoming rebels, disobeying the orders of the legitimate authorities, or they must have recourse to some other expedient. That we may not be driven into such a desperate situation is the object of this petition which we hope will be in good will received.

We suspect that Attorney Howard and those with him who have conspired to commit this spoliation have given the government under your charge false and calumnious reports against ourselves, and although we are confident that we have proceeded only in a legal manner to defend ourselves we are ready, nevertheless, to respond to any charges which may be made against us before any competent and impartial authority.

In view of the foregoing statements which are of public interest, together with the legal principles upon which our petition is based; we supplicate Your Excellency to revoke the grant made (if made) to Attorney Howard of the Guadalupe salt lakes situated in El Paso County, Texas, as he asserts, and if the grant be not yet confirmed that you will reject the petition, declaring that the aforesaid salt lakes shall continue to be as they always have been for the common use and benefit of the people and residents of El Paso County. And, moreover we pray that if in accord with your views, and in order to reestablish order and tranquility in this county, now disturbed by the malevolent desires of Howard in regard to the salt lakes, the supreme government will cause an investigation by persons of integrity and impartiality to discover who may have cooperated directly in causing this disorder, and who might have prevented it by their

authority and did not do so, to the end that they may be punished according to law.

If our worthy Chief Magistrate shall consider the just and substantial reasons that we have herein set forth, why we ought not to be despoiled of the salt lakes in such an unjustifiable manner as Mr. Howard intends, he will attend to our petition and do us justice which our claims deserve and for which the people of El Paso County will ever be thankful.

San Elizario, Texas, Dec. 4th, 1877.

# Appendix D

## Names of persons indicted by the County of El Paso[4]

*March 20th 1878*

Higinio Loya
Desiderio Apodaca
Antonio Garcia
Francisco Tapio
Antonio Salazar
Manuel Lopez
Antonio Olguin
Rosalio Carpio
Pedro Olguin
Omogon Rodela
Jose Sierra
Dolores Telles
Jesus Ma Olguin
Tomas Gonzales
Ramon Zambrano
Benito Caballera
Guadalupe Apodaca
Jesus Arroyas
Jose Angel Bernel
Ricardo Cordero
Antonio Cordero
Alvino Arias
Jose Perez 3d
Antonio Beltram
Feliz Medino
Eleno Sierra
Ysidro Scierra
Santa Cruz Estradaja
Luis Guerra
Alcario Villa
Luciano Frescos
Bernavel Candelario
Jesus Garcia
Agaton Porras
Fermin Oporto
Jose Hernandez
Pedro Olguin
Ambrosia Arias
Juan Olguin
Lazaro Arroya
Militon Apodaca
Gavino Arias
Guadalupe Lopez
Guillermo Gandera
Macedonia Gandera
Pantalion Garcia
Leon Granilla
Teburcia Oporto
Jose Ma Juarez
Juan Madrid
Juan Cordero
Romano Cordero
Benito Zambrano
Sosteno Beltram
Manuel Corasco
Nicolas Sierra
Pedro Sierra
Bernardino Lopez
Narsario Gomez
Guadalupe Lucerro
Pomposo Paz
Higinio Zuniga

[4] Request for extradition directed to Jesus Padilla, "*Motin de Mexicanos*" Legajo L-E-64, Secretaria Relaciones Exteriores.

Santos Gonzales
Jesus Montoya
Nagro Jurando
Sostino Provencia
Dionicio Guerra
Torivio Lucerro
Antonio Olguin
Phillippe Sanchez
Brazillia Lopez
Santa Cruz Silvas
Juan Domingo Trujillo
Nacario Solis
Carlos Telles
Andrés Colmeneros
Francisco Barela
Seriaco Maise
Pascual Perote
Benselado Granillo
Luciano Barela
Jesus Olguin
Jose Barela no. 1
Cristobal Brisano
Manuel Ortega
Francisco Zambrano
Jose Hernandez
Pedro Almengon
Teodosia Alvarez
Seveno Gomez
Estaven Chavez
Estaven Carada
Pomfilio Lucerro
Tomas Gonzales No. 2
Gregoria Zuniga
Dionicio Borigo
Crispin Maños
Nestor Valles
Cisaro Perez
Beneficio Madrid
Bernardo Trujillo
Mariano Polanco
Cruz Pangagua
Ruperto Guerra

Justo Valensuela
Narciso Orteaga
Andres Provencia
Jesus Maria Apodaca
Cisto Castelo
Vidal Garcia
Pedro Juarez
Monica Sanchez
Antonio Silvas
Julian Dominguez
Ysabel Solis
Alvino Acre
Jose Gonzales
Tomas Pedrasa
Victoriana Medino
Faustina Carrabajal
Fabian Granillo
Jose Maria Montoya
Juan Jose Alderete
Pancho Tapia
Jose Barela no. 2
Benito Apodaca
Crisostino Renteria
Juan Naranjo
Irino Olguin
Torivio Traviz [?]
Juan Roderiguez
Vicente Medina
Jesus Chavez
Santa Cruz Estrada
Severiano Valdenado
Cristoval Marquez
Alfonso Zuniga
Ventura Pacheco
Tedofilo Estrada
Juan Valles
Cisto Gomez
Caterino Villegas
Benito Caballera
Leogarde Salinas
Patricio Loya
Ylario Guerra

Pomposo Nescos
Crispin Maise
Ermajildo Orcacitas
Mariano Arias
Tomas Gonzales
Cleto Romero
Mauro Lujan
Urbano Montoya
Juan Nuñez
Margona Almanza
Saturnino Carrabajal
Selferino Lujan
Gregoria Garcia
(*one hundred and fifty nine*)

**HIDDEN TEXT: Optional—must be placed in this order if it is included in the dissertation. If you don't want to include a glossary, then delete the entire page and the following page break.**

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# Vita

Manuel Callahan was born in San Francisco, California on October 12, 1962, the son of Carmen Gonzales Callahan and Anthony Callahan. He attended Bellarmine College Preparatory in San Jose, California, from 1976 until 1980. Upon completing his work at Bellarmine, he attended Gonzaga University in Spokane, Washington. In 1984 he received a Bachelor of Arts degree in History and Political Science. The following year he enrolled in San Jose State University in San Jose, California, earning a California Single Subject Social Science Teaching Credential. Upon receiving his accreditation as a secondary teacher he taught at Stanbridge Academy, a small private school for learning disabled students in Palo Alto, California. In September 1988 he was admitted to the Cooperative Doctoral Program in Border Studies at the University of Texas.

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